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THE HISTORY
OF
NORTH CAROLINA.

THE

S. W. Jones

HISTORY

OF

NORTH CAROLINA.

BY

HUGH WILLIAMSON, M. D. LL. D.

Member of the Holland Society of Sciences, of the Society of Arts and Sciences
of Utrecht, of the American Philosophical Society, &c.

IN TWO VOLUMES.

VOL. I.

PHILADELPHIA:

PUBLISHED BY THOMAS DOBSON, AT THE STONE HOUSE,
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DISTRICT OF PENNSYLVANIA, to wit:

* BE IT REMEMBERED, That on the twentieth
* L. S. * day of May in the thirty-sixth year of the Indepen-
* * dence of the United States of America, A. D. 1812,

Thomas Dobson, of the said district, hath deposited in this office
the title of a book, the right whereof he claims as proprietor, in
the words following to wit:

“The History of North Carolina. By Hugh Williamson, M. D.
LL. D. Member of the Holland Society of Sciences, of the
Society of Arts and Sciences of Utrecht, of the American
Philosophical Society, &c. In two volumes. Vol. I.”

In conformity to the act of the Congress of the United States,
intituled, “An act for the encouragement of learning, by secu-
ring the copies of maps, charts and books, to the authors and
proprietors of such copies during the times therein mentioned.”
And also to the act, entitled, “An act supplementary to an act,
entitled, ‘An act for the encouragement of learning, by secu-
ring the copies of maps, charts, and books, to the authors and
proprietors of such copies during the times therein mentioned,’
and extending the benefits thereof to the arts of designing, en-
graving, and etching historical and other prints.”

D. CALDWELL,
Clerk of the district of Pennsylvania.

PREFACE.

IN collecting materials for the history of North Carolina, little information could be obtained from any accounts that have been published, of the British colonies, or either of them. Hackluyt, Purchass, and other ancient writers, have been sufficiently minute in describing the first discoveries, and the attempts that were made to form settlements on different parts of the continent: but no writer has treated, with any attention, of the progress of colonization or the civil history of North Carolina, from the time in which the first permanent settlements were formed in that country. Wynn, Oldmixon, and others, who wrote of Carolina, have done little more than name the northern province: their attention was chiefly en-

gaged by South Carolina. Such were the effects of a good port and a large town, where the commerce of the province centered, the produce was shipped, and the principal inhabitants usually resided. My information has chiefly been taken from public records, and from letter books, or other manuscripts in the possession of ancient families.

The books that contain the proceedings of the governor's council, the journals of the legislative assembly, and other documents that remain in all the public offices in the state, have been consulted. Information, little to be expected from such records, has also been obtained from dockets of the supreme courts. Extracts of laws that were never printed, powers of attorney, copies of affidavits, and much heterogeneous matter, were inserted in those dockets, in the infant state of the colony, beside a general abstract of the

pleadings. The late C. Pollock, was pleased to favour me with the letter book of his ancestor, who had been thirty years deputy to one of the lords proprietors, and governed the province, at different periods, as president of the council. I am also indebted to the letter book of Alexander Spotswood, who was lieutenant governor of Virginia, near the beginning of the eighteenth century. General Waddell, who deservedly possessed the confidence of Governor Dobbs and governor Tryon, used to preserve every letter and instruction directed to him, while he served the province in a civil or military capacity. His descendents, in the most obliging manner, were pleased to send me all the documents of a public nature, that had been found in his cabinet. I have received much information, on detached subjects, from some of the most ancient and respectable citizens in the state, who continue to serve the country, and from

others who have lately been numbered with the great majority.

A gentleman, from Bern in Switzerland, had the goodness to furnish me with a large file of letters, in a corrupt German language, written by the Baron de Graf-fenried, respecting Carolina.

Of the debates that have arisen between the several governors and the legislative assemblies, and the disputes between the proprietary agents and the people, I was furnished with copious details. If I had been disposed to record disputes that originated in pride, resentment, the spirit of party, avarice or a dishonest temper, I might have swelled this work to a considerable bulk. Such details of follies and vices cannot be interesting. Some papers however, will be found among the Proofs and Explanations, that had no claim to being copied, except that

occasional specimens may be acceptable, as they help to illustrate the manners and spirit of the times.

There are chasms in the journals, and records remaining in the secretary's office, that were obviously occasioned by public commotions. Those defects would have been most conveniently supplied, by reference to records in a public office in London. Much research became necessary, to supply, as far as possible, those accidental defects. The governors lived, and the assemblies met, at so many places, that ancient records are greatly scattered. Copies of instructions to the governors are sometimes entered on the journals of the councils; but copies are missing of some laws that have not been printed. Mr. Chalmers in his "Annals of the United Colonies," availed himself of the papers that are in the plantation office. He promised a continuance of

those annals. It was a ministerial work, written during the revolution war; and the apparent object was to prove that the colonists had no claim to being exempted from taxation by the British parliament. But that question being settled, by the treaty of peace, the further labors of Mr. Chalmers, in that field, were not required. As I wished to get a copy of certain papers, that come under the Carolina head, I hoped, for the reason stated, that Mr. Chalmers, who was employed as a clerk in a public office, would furnish my friend with a copy, or assist him in obtaining one. He would do neither; but threatened to interfere, if application should be made to the head of the proper department.

It was known that John Archdale, formerly a proprietor and governor of Carolina, had published some account of the province, in the year 1707; but that book

is not to be purchased in London. A gentleman who had formed a library, consisting of every publication respecting American affairs, or visits made by British subjects to other parts of the world, gave that library to "the Society for propagating the gospel in foreign parts." The library, to save storage, was removed to Gresham college; but the librarian died and the books were dispersed. Mr. Archdale's work, and sundry other publications of that period, are only to be found at present in the British museum. Doctor Romaine, who ten years ago was in London, in the most obliging manner caused copies to be made of all the valuable information, that is contained in Mr. Archdale's work, or in two other small books, respecting North Carolina, that were published about the end of the seventeenth century. Those copies he sent me.

The natural history of Carolina, or an account of its animal, vegetable, and fossil productions, would form of itself a work of considerable magnitude; but this is less desired by the inhabitants of the state, who rather wish to know what were the difficulties under which their ancestors struggled, and the steps by which the colony attained its present rank among the states.

I have confined myself to this part of the history, although it was the less pleasing task; for it is a history of disasters, misrule, and oppression; a more constant succession of grievances, than fell to the lot of any other colony.

Having observed that some military transactions in the southern states, during the revolution war, had not been correctly detailed, and finding much reason to complain, that North Carolina had not

obtained, from any writer, the credit she deserved for her exertions on that occasion, I proposed to bring the history of the state down to the year 1790, and had collected materials for that purpose. But considering that the history of the province may be acceptable to many people, who are less solicitous about late military transactions, which continue to live in the memory; considering also that the extent or value of the services rendered by North Carolina cannot be fairly estimated, without taking a general view of the other military operations during the war, an arduous work, I desisted from my original plan.

A copy of this history was prepared, many years ago; but I was not in haste, for sundry reasons, to send it to the press. In case I had been called away, the publication, as I thought, might have been trusted with great safety to my

oldest son: a young man, whose moral and christian virtues, could not be praised above his merits. But it pleased his heavenly Father lately to remove him to "a house not made with hands." In this case I deemed it proper to have the work published without further delay.

New York, June, 1812.

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ERRATA.

VOL. I.

- Page 41, line 9th, for *Oceam*, read *Occam*.
68, 17th, for *twenty-fourth*, read *the twenty-fourth*.
85, 7th, for *Matrovers*, read *Matravers*.

VOL. II.

- Page 18, 19th, for *or*, read *on*.
55, 4th, for *S.* read *Gr*.
80, 4th, for *Bloden*, read *Blâden*.
96, 21st, for *Bertil*, read *Bertie*.
for *Tyrnel*, read *Tyrrel*.
142, 3rd, for *crown*, read *Craven*.





NORTH
CAROLINA







THE HISTORY
OF
NORTH CAROLINA.

CHAPTER I.

**OF THE DISCOVERIES MADE IN AMERICA
FROM DIFFERENT PARTS OF EUROPE.**

NO permanent settlement was formed, in any part of North America, for many years after it had been discovered. The coast was explored by adventurers from different nations, and the country was claimed by the several princes to whom

they severally belonged, but one disaster or another prevented either of the claimants, from keeping possession. Sir Walter Raleigh was the first adventurer, who attempted to plant an English colony upon this continent. His attempts did not succeed according to his zeal and expectations; for his ships found no safety in the waters of North Carolina; but he gave rise to a spirit of enterprise and an extensive knowledge of the country. Other bays and rivers were discovered, and colonies were planted in the vicinity of better harbours, where they might take root in safety. Many years after Carolina had been discovered, after one colony and another had been expelled or destroyed, after settlements had been formed in other districts to the northward, some industrious people, removing from a stubborn soil or from the tyranny of unequal laws, seated themselves upon the waters of Albemarle sound; upon the

waters first explored by Sir Walter Raleigh, and among the natives. When a colony had sprung up in this manner, a charter was obtained, by sundry lords and gentlemen, for a large tract of country, including the soil and seigniory. The province was then called by its present name.

The adventures of small parties of civilized men among savage tribes in the wilderness, cannot be very interesting to the reader; but as the first English colony, that visited this continent, seated themselves upon Roanoke island in North Carolina, it may be expected that, in giving the history of this province, we should give a detail of the several incidents that led to its perfect establishment. By looking back to the first discovery of this country, and taking a short view of the attempts that were made, by different nations, to keep it in

their possession, we shall be enabled to form a proper estimate of the difficulties that presented themselves to the first colonists; and we shall the better understand, in what manner the province was eventually settled.

It will hardly be disputed that America had been visited once and again, by people from Asia and Europe, before the age of Columbus; though none of the former adventurers have acquired celebrity by their achievements. There was a coincidence of fortunate circumstances, that caused the discoveries of Columbus to be regarded as miraculous, and prosecuted with a degree of zeal, little short of enthusiasm. The use of the magnetic compass had lately been discovered in Europe; and the spirit of navigation and commercial enterprise was cherished, at that epoch, by means unknown to former generations. The nations of Europe were

just emerging from a state of ignorance and barbarity; for the art of printing had lately been invented; and men, who had long been exercised in the destructive art of war, began to wish for some more useful employment. If Columbus was not the first adventurer, who returned to his own country, he was probably the first who returned with specimens of gold and other precious articles, which never fail to excite cupidity. The Tartars, who migrated by an easy passage to the western coast of North America, may have communicated for many years with their native country; but there was nothing seductive in the appearance of the land they had discovered. It was chiefly recommended by plentiful game for the support of indolence; and it was a refuge from domestic troubles.

Those adventurers, whoever they may have been, whether more or less nume-

rous, had not any great object in view; and their history is buried in the dark vale of oblivion.

— “*Ignotis perierunt mortibus illi.*”

The names of princes, true or fabulous, who first established governments in different parts of the other continent, may be traced from ancient records; but small as the empires, or rude as the nations may have been, who are thus recorded in history, we constantly find that other people, whose origin is not discovered, had been living in each of those countries before such governments were established. The first adventurers to America are not more completely sunk in obscurity than the first settlers in the greater part of Africa, Asia, and Europe. The eastern coast of North America was visited by Erick a Norwegian, near one thousand years ago; but he was not the first hardy ad-

venturer, who discovered that country.* He found a race of savages there. High northern or southern latitudes are badly fitted to cultivation; nor do they abound in the most desirable game. People, who live in such climates, must be chiefly supported by the gifts of the ocean. For it is known that fish abound in high latitudes; and the natives of cold climates, by living on the water, in quest of food, are observed to acquire habits that are nearly amphibious.

It is not strange that America should have been frequently visited by such people, since it is not far distant from either shore of the other continent; but the history of those visits could not be the subject of public attention. The discovery of a few wild grapes† did not excite the

* See Proofs and Explanations, A.

† See Proofs and Explanations, B.

avarice of Erick's cotemporaries, nor of those who had gone before him; and the furs, in which they dealt, were found in all high latitudes. The first navigators, who discovered South America, were not less enterprising than Columbus. Those men sailed to a country at three times the distance;* but they had fewer wonders to relate. They had not discovered a new race of men, for wild beasts were the only inhabitants; nor could they tell, that the earth teemed with silver and gold; for those treasures had not been opened. Whoever those adventurers may have been; however great their genius and enterprise; they have fallen a prey to dumb forgetfulness. They wanted letters or historians to preserve their fame. The wisdom of Solon, and the virtues of Scipio, have been celebrated by many a pen, while the founders of greater em-

* See Proofs and Explanations, B.

pires and greater conquerors, have passed away like evening meteors.

“Full many a gem of purest ray serene,
The dark unfathom'd caves of ocean bear.”

The visit of Columbus was made at a fortunate period; and it was made to a country that promised ease and riches. The first adventurers to a new country have seldom discovered any thing more tempting than a subject for industry, or a field for labour; but Columbus had discovered a country that was already settled; and the plunder of the natives might produce war without hazard, and wealth without labour.

After Columbus had tendered his services to Genoa his native country, to Portugal, and to Spain, without success, he sent his brother Bartholomew with a tender of his services to the king of England; but his brother suffered ship-

wreck on his passage; and some years elapsed before he made his application to Henry the seventh. That prince cannot be said to have countenanced the project; for he gave no proofs of his approbation before Christopher had sailed on his second expedition to America. The world is indebted to the benevolence, the generosity and liberal sentiments of a woman, for one of the most useful discoveries that ever was made. A discovery that has already given birth to millions, who are the most prosperous, and should be, if they duly estimated their advantages, the most happy of the human race. We are indebted to Isabella of Spain for the expedition of Christopher Columbus. Her husband Ferdinand, the king, would not countenance the measure; and she pledged her jewels to procure the necessary outfits.

If the princes in Europe, who had little money or limited conceptions, were deaf to the proposals of Columbus when he offered his services to search for a new country, those very princes, after he had made the discovery, seem to have been equally solicitous to obtain a share in the profits. The English, the French, and Portuguese, were ready to assist the Spaniards in reaping the golden harvest: the Spaniards alone had the fortune, I shall not call it good fortune, to pitch upon the chief sources of silver and gold.

Christopher Columbus discovered one of the Bahama islands, now called Cat. island, the eleventh of October 1492. After visiting Cuba and Hispaniola, he returned to Spain.

John Cabot, a Venetian in the service of Henry the seventh, sailed from Bristol in the year 1496, with four ships, in quest

of land to the westward.* Lest he should interfere with the claims of Spain, he held a northern course. In that direction he discovered Newfoundland and the northern part of this continent; which he traced, from a high degree of latitude, until he came to the thirty eighth; from which he returned to England,† his provisions failing. Henry did not think fit to prosecute those discoveries; and many years elapsed before other attempts were made, by English subjects, in America.

Florida was discovered in the year 1502, by an accident that would be classed among fables, not with correct history,

* Bacon's History of Henry the Seventh.

† It is fully ascertained that John Cabot carried over the turkey from America. That bird, before his time had not been known in any part of the old continent. The French then called it, with some propriety, as they continue to call it, coq d'Indie, the cock from India; for Ame-

if the foibles and follies of men did not compel us to believe many other stories equally at variance with nature and sense. The diligent and persevering search for the philosopher's stone, had long been the opprobrium of chemistry; and many a visionary at this hour continues in chase of the perpetual motion: a thing impossible in nature. It had been reported, a few years after the discovery of America, that there was a fountain in Bimini, one of the Bahama islands, that had the marvellous and happy power of restoring youth and vigor to aged persons, who should bathe in its waters. Jean Ponce de Leon, a wealthy but aged inhabitant of Porto Rico, believed the story, and sailed in quest of the grand restorative. Stretching to the westward, he discovered land in March, the sabbath

rica at first was called West India. The English alone whimsically called the bird a turkey.

before Easter, which the Spaniards call Pasqua de Flores; for which reason he called the country Florida. Ponce de Leon dipped himself in every stream or fountain that he saw. No brahman or mahomedan could match him in ablutions; but he returned an older man. Failing in his attempts to recover youth, he resolved to increase his wealth, at the expense of the natives. For this purpose he obtained a commission, by which he was authorized to conquer and govern the country he had discovered. In the year 1513 he arrived on the coast of Florida with a considerable body of men; but in a short time he sustained a furious attack by the Indians, in which the greater part of his troops were cut off. With the survivors he arrived in Cuba. Those adventures of Ponce de Leon were supposed to vest, in the crown of Spain, a sufficient claim to all the country that was then called Florida.

John de Verezano, a Florentine in the service of Francis the first, sailed from Brittany, in January 1524, to make discoveries in America. He touched the continent near the thirtieth degree of north latitude, and called the country Mocosa; taking possession of it in the name of the king of France. He stretched along the coast to the northward, touched at Sandy Hook and Rhodeisland, and left the coast near the fiftieth degree of latitude. He died on his return to France; and his discoveries were not prosecuted for many years: they served nevertheless as the foundation of the claims of France to a considerable part of this continent.

The misfortunes of Ponce de Leon, and of Lucas d'Aillon, a subsequent governor, whose men were cut off nearly in the same manner, did not prevent the Spaniards from making further at-

tempts on the coast of Florida. Ferdinand de Soto landed there in May 1539, with six hundred men, and two hundred horses. This adventurer had served with Pizarro in South America, and shared in the spoils of Peru. He came in quest of gold, not with any design to plant a colony. From the coast of Florida he travelled to the westward, and passed the second winter among the Chickesaw Indians, who had the address to get some of his horses. From the Chickesaw country, he crossed the Mississippi, and continuing his researches to the westward, he died upon Red River. The remains of his army escaped by the Mississippi, in small vessels of their own construction. Such was the issue of the first visits that were made on the coast of Florida, which included Georgia and Carolina. No attempt had been made to establish a colony, nor had any Spanish adventurer in that age

reconciled himself to the thoughts of labour. Their object was gold, which was to be acquired by plundering the natives, or by the labour of those unfortunate people when reduced to slavery.

When the controversy in France between the Huguenots and Catholics had become serious, admiral Coligni, who was of the reformed church, turned his attention towards North America, as a future asylum, in case of necessity, for a persecuted sect. In pursuit of that object, he despatched captain Ribault with two ships, and every thing necessary for planting a colony. That officer, finding a good harbour, landed at Port Royal, that now belongs to South Carolina, where he built a place of defence and returned to France, leaving twenty or thirty men to keep possession of the country; but they also returned to France the next year. Coligni prevailed on the king, in the

year 1564, to fit out three other ships under the command of Laudonnier, who had formerly sailed with Ribault. The Indians expressed great joy at his arrival. He built a new fort which he called Charles, sent back the ships, and retained one hundred men, with whom he explored the country, and began to plant. But his people, impatient of labour like all the first adventurers, discovered a gold mine, as they alleged, by art magical, and compelled him to dig for the precious metal. This officer, being unable to govern a seditious colony, and greatly distressed by the want of provisions, prepared to leave the country about the first of August 1565; but he was prevented by the arrival of Ribault, who brought troops and planters, with their wives and children. Ribault had been appointed governor of the colony; but his administration was of short continuance: for the colony was entirely composed of Huguenots;

and Philip the second, of Spain, had resolved, that a colony of heretics should not take root in America. Don Pedro Melandes, a bigot not less cruel and intolerant than his master, was appointed governor of Florida. This officer arrived on the coast with three hundred soldiers and twenty-six hundred planters. They seem to have been the first Spanish adventurers in that region, who had any thoughts of agriculture. They landed at an inlet, a few miles to the southward of Fort Charles. Ribault, very imprudently, embarked in the month of September with his best troops to attack the Spaniards. He was overtaken the next day by a storm, that proved fatal to ships and men. A few days after that disaster, the Spaniards, coming by land to the fort, assailed it sword in hand. Laudonnier made a gallant defence, but was overpowered by numbers; and the fort was taken. While the

Spaniards were diverted by plunder, that officer escaped with eighteen or twenty men, in a small vessel that lay in the harbour. The rest of the garrison, with all the women and children, were put to the sword,* except fifteen, who were hung on the nearest trees. Lest it should be unknown, that so many executions had been caused by a spirit that was falsely called religion, the following inscription was found near the bones of those unfortunate victims:

“They were hung as Lutherans, not as Frenchmen.”

Justice, though she often halts in her pace, was not long in overtaking these merciless bigots. Guerges of Gascony,†

* In a petition to king Charles of France, by some of the widows and children of the men who fell on that occasion, the number massacred is said to have been nine hundred.

† Guerges had formerly served with distinction in Italy against the Spaniards, by whom he was taken prisoner, and compelled to work as a slave on board a galley. The

a private gentleman, in the true spirit of chivalry, fitted out three ships at his own expense, and sailed in quest of Melandes and his companions with one hundred and fifty soldiers and eighty seamen. He entered a small harbour, fifteen leagues to the northward of Port Royal, about the middle of April 1568. The Spaniards, after repairing Fort Charles, had erected two other forts on the same river, at two or three miles distance. The old fort was garrisoned by one hundred and sixty men, and each of the new forts by seventy men. Guerges was accompanied by a man who had served with Laudonnier, and proved to be a useful interpreter. The Indians were taught the object of the expedition; and

vessel in which he served was taken by the Turks, and retaken by the knights of Malta, by whom he was set at liberty. From that time he followed the sea, and became an expert navigator.

they tendered their services with the utmost alacrity; for the cruelty of the Spaniards had excited universal indignation. Guerges surprised one of the small forts at the dawn of day, and put all the garrison, except fifteen, to death. Pursuing his success while the panic was strong, he attacked the other small fort, and took it by storm. This garrison was also put to the sword, except fifteen, who were reserved for the gibbet. The old fort was strong and well provided. To attack such a garrison as it contained, with an inferior number of regular troops, was a hazardous enterprise. The Indians were not ignorant of the danger. One of their chiefs told Guerges, as they advanced towards the fort, that he expected to fall in battle, but he confided that the captain would give his wife the presents intended for him. In that case she would be enabled to celebrate his death; and he would be welcome in the

land of spirits. Fame and fear had magnified the number of French combatants. As they drew near the fort, the Spanish governor detached fifty men to reconnoitre. Their retreat was cut off by stratagem; and they were put to death. The troops in the fort, panic-struck by that execution, fled to the woods; but the woods were filled with hostile Indians. Death was inevitable. They returned and surrendered. Fifteen of this garrison were also reserved for the gibbet; the rest were put to the sword. Near the graves of the men thus retaliated on, there was set up an inscription to inform posterity that

“They were hung as Traitors, Robbers and Murderers,
not as Spaniards or mariners.”

Having destroyed the fort, Guerges brought off the plunder, and arrived at Rochelle in June. If the courage of that Gascon had been tempered with hu-

manity, his zeal and patriotism would have entitled him to lasting honours.

The pretensions of France and Spain to the possession of Carolina, at this period, were nearly alike. The greater part of America was claimed by Spain, because an officer in the service of that government had discovered three or four islands and a small part of the continent. France claimed Carolina, because two or three mariners in the service of that government had surveyed the coast, and given names to some rivers and bays. Both nations had attempted to form settlements in the country; and they had both been disappointed. In a few years we shall find another claimant.

CHAPTER II.

SIR WALTER RALEIGH ATTEMPTS TO SETTLE A COLONY IN NORTH CAROLINA.

WE have seen that Newfoundland and a considerable part of the continent were discovered at an early period, by Cabot, in the service of Henry the Seventh; but that prince did not think fit to prosecute those discoveries. Not that Henry was less desirous than other monarchs to extend his empire or increase his treasures; for he acquired wealth, on sundry occasions, by fraudulent means. But Cabot had found no evidence of riches among the Indians. He had seen neither gold nor silver among the numerous tribes who lived near the coast; and Henry was not willing to expend his

own treasures with the distant hope of increasing commerce and enriching his subjects. It happened that Portugal was extending her discoveries and commerce to the eastward, along the coast of Africa, at the very period in which America was discovered by Columbus. In that case, it was not improbable, that the claims of those nations might interfere; for Portugal had obtained an extensive grant from the pope of Rome. To prevent any possible interference, his holiness, who doubtless had the same right to bestow earthly kingdoms as seats in paradise, was pleased to limit his grant to Portugal, by such lands as they should discover to the eastward of a certain meridian, passing through the Atlantic. He gave the king of Spain all that he should discover to the westward of that line. Henry the Seventh may have desisted from American discoveries, lest he should interfere with the Spanish

monarch, whose friendship he cultivated, and whose daughter he sought in marriage for his eldest son. It may be recollected, that his successor, Henry the Eighth, employed much of his time in the gratification of his passions; and his immediate successors, Edward and Mary, paid little attention to foreign objects. The comprehensive mind of queen Elizabeth cherished every project, by which her navy might be strengthened and her commerce extended; neither did she fear or flatter the king of Spain. In the year 1579 she was pleased to grant a patent to sir Humphrey Gilbert, by which he was authorized to search for and discover remote heathenish and barbarous lands; to settle, fortify and govern the same. Having obtained that patent, sir Humphrey sailed directly for Newfoundland; but he returned without forming any settlement. He was accompanied on that expedi-

tion by sir Walter Raleigh, who was his half-brother. He sailed a second time for Newfoundland in the year 1583; and Raleigh, in the ardent spirit of adventure, sailed with him in another ship. But a malignant fever breaking out, in a few days, on board that ship, Raleigh was obliged to return. Gilbert arrived in Newfoundland; but he was lost on his return to England, and his projects failed.

Sir Walter Raleigh, not discouraged by the misfortunes of his brother, resolved to attempt a colony in the new world. But the inhospitable island that he had seen was not the object of his ambition: he proposed to plant in a warmer climate on the continent. Raleigh had served the queen of Navarre a considerable time, in France. On that occasion he became acquainted with all the discoveries that had been made by

French or Spanish adventurers, on the southern coast; and the claims or projects of Coligni, the only adventurer he could respect, were buried with himself in the dust. He obtained a patent, in March 1584, for such lands as he should discover, not in the possession of any christian prince or people.* It was provided by the patent, that no settlement should be formed, by any other person, within two hundred leagues of the place or places, which he might cause to be settled within six years. The grant was very extensive; and he took care that it should not be forfeited by delay. In little more than four weeks he despatched two small vessels, under the command of expert mariners, to take possession of the country. They touched at the Canary islands and the West Indies in their passage.

* See Abstract C.

This was originally deemed to be the proper course to North America, for the benefit of the trade winds.* They got soundings the second of July; and stretching to the northward, under an easy sail, they cast anchor the fourth of July† in the mouth of an inlet, which they took for a river. After returning thanks for a safe passage, they took possession of the country for queen Elizabeth. The land was sandy; but every tree and shrub was loaded with grapes; and the low ground was covered with tall cedars.

* It has been observed that the northwest winds prevailed on the coast of North America, when the first colonies were planted, more than they do at present, nearly as three to one; therefore the passages from Europe, in high latitudes, at that period, were usually very long.

† They sailed 27th of April 1584. They touched at the Canaries 4th of May, at the West Indies 10th of June, and landed in North Carolina the 4th of July. This has become a memorable day in the United States.

They soon discovered that they were on an island about twenty miles long, which the Indians called Wokokon. On the third day after their arrival, three of the natives, for the first time, appeared on the beach and received some presents. On the following day, forty or fifty Indians approached the ships. They left their canoes at a small distance in a cove, and presented themselves on the beach. Granganimo the sachem was among those Indians: his rank appeared by his deportment. He took his seat upon a long mat; and four of his chief men seated themselves upon the other end of the mat. The rest of the Indians stood at a respectful distance. The masters of the ships landed, with some of their people, in arms. The prince made them signs to seat themselves near him. He then touched his head and breast, and afterwards touched theirs, to signify his desire of mutual confidence and

friendship; and he made a long speech, which they wished in vain to understand. They gave him sundry presents, which he received thankfully; and they gave presents to the officers who attended him, but the prince took the whole to himself. On the next day, a profitable trade was opened with the natives. Twenty skins, to the value of twenty crowns, were purchased for a tin dish, and other articles in proportion. After some days, Granganimo introduced his wife and some of his children. She was ornamented with strings of pearls, and wore a cloak and apron of skins dressed in the fur. When the ships had been some time at their anchorage, one of the captains, with seven or eight of the adventurers, proceeded in a boat towards Roanoke island, where they arrived the next day. On the north end of the island there was a small town, consisting of eight or ten houses, built of cedar and

surrounded with palisades, for defence against an enemy. Granganimo lived in that town. He was not at home; but the untaught civility of his wife left the captain and his company nothing to desire. She ordered her people to carry them ashore on their backs. Their boat was drawn up, and their oars secured. She placed her guests by the fire to dry their clothes; for it was raining. Some of her women washed their stockings; and others washed their feet. Their clothes being dry, she conducted them into another apartment and gave them a plentiful dinner, consisting of roasted venison, hommony, fish, melons and sundry fruits. They used earthen pots and wooden dishes. While the strangers were at dinner, two Indians entered the house with their bows and arrows. The white men looked towards their arms. The princess did not wait for any further remonstrance. The Indians were turned

out; and their bows were broken. She intreated her guests to stay all night in the palace; but they launched their boat and dropped a grapnel at some distance from the shore. She observed, with marks of grief, that she had not gained their confidence; but she pressed them no further. Their supper was sent to the boat; and they were supplied with mats as a defence from the rain. Thirty or forty men and an equal number of women were directed to watch near them, all night, on the beach.

The particulars of this visit have been detailed, because the conduct of that woman is a correct portrait of the female character, and a specimen of that attention which the stranger and the afflicted may expect to receive from women in every part of the world.

Having finished their trade, and taken a short view of the country, those adventurers returned to England about the middle of September, taking two Indians with them.*

This visit, as we have seen, terminated in the most friendly manner. The parties had been equally disposed to acts of kindness; and they seem to have thought well of one another. There was nothing in the conduct of the English that could excite jealousy or suspicion. Their number was small; and their conduct was inoffensive. They viewed the country, but were not suspected of a design to seize it and destroy the inhabitants. In this case, nothing appeared in the conduct of the natives, but a species of hos-

* One of those Indians named Manteo continued to be faithfully attached to the colonists, and became a useful interpreter.

pitality, that is common to men seldom visited by strangers and little attached to property. In a short time, the Indians had occasion to change their opinion concerning the object of the strangers; and the white men had equal reason to change their opinion concerning the innocence and simplicity of the natives.

When we consider the manner in which travellers usually speak of things they have seen in a distant country, we cannot wonder that the expectations of people in England were exceedingly raised, by the report of those adventurers. The fragrant and delicious smell of the country had arrested the passengers, before they were in sight of land. The woods were filled with game. Every bush was loaded with grapes, a sight not common in England. A savage could fill his canoe with fish, in two or three hours, in the sound. The

natives were hospitable and inoffensive. Pearls were found in abundance; and there was reason to expect much gold. Such was the report. The country was a paradise, in which every sense was gratified. Queen Elizabeth was greatly pleased with this valuable addition to her dominions. The new country was called Virginia, a name by which her majesty was flattered; and every part of this continent, claimed by the English, was called by that name for many years. In a short time after the return of those ships, Raleigh was elected a member of parliament for Devonshire. He was also knighted by the queen; and his patent was confirmed by an act of parliament.

Seven ships were immediately prepared for a second expedition* under

* The Tiger of 140 tons, Roebuck 140, Lion 100,
Elizabeth

the orders of Ralph Lane and sir Richard Granville. This little squadron reached the coast in July,* and dropped their anchors, without the bar, at Wokokon. Governor Lane, sir Richard Granville, and fifty or sixty other officers and men, immediately crossed the sound to explore the country. They discovered an Indian town near the mouth of Pamptico river, and another town near the mouth of Neus; from which they directed their course to Socotan,† where they were civilly entertained by Wingina, the brother of Granganimo. From Socotan, some of the boats proceeded, by the shortest course, to Wokokon: but Granville with the other boats returned to Aquascosack, a town on the waters of Neus, to demand a

Elizabeth 50, Dorothea a small bark, and two small pinnaces.

* Twenty sixth July, 1585.

† Socotan was near the present site of Beaufort.

silver cup that had been stolen from him, when he visited that town on his late circuit. The cup was not restored according to promise; and the Indians, apprehending danger, fled to the woods: upon which their town was burned and their corn destroyed. This was the first act of hostility; and it proved to be the plentiful source of calamity. We are not surprised at such instances of tyranny. It is common for the strong to insult the weak; but it is strange that men should not be instructed by the numerous cases of deadly revenge that have been taken by unarmed savages. One of the most accomplished mariners of the present age, while he was attempting to recover a boat of little value in an arbitrary manner, fell by the hands of naked men. He must be weak indeed, whose revenge may not be dangerous. The passionate and rash conduct of sir Richard Granville cost the nation many

a life. The fair beginning of a hopeful colony was obscured, it was nearly defeated, by resenting the loss of a silver cup. Towards the last of August sir Richard sailed for England, having promised to return in the spring. Most of the other ships had sailed before him. Their chief lading was red cedar, sassafras and peltry. The new colony had settled on Roanoke island; and, though they were one hundred and seven in number, there had not been, on the first of September, a single instance of sickness among them. Governor Lane was diligently employed, during the autumn and winter, in exploring the country. He visited the Chesopians, on Elizabeth river; formed a league with the Moratucks, on Roanoke river; and visited the Chowanokes, a powerful tribe. The discoveries of that officer cannot be understood by their original names; for every thing is changed, except the name of a

small island. Rivers and sounds have lost their Indian names; inlets have changed their position; and the Indian tribes are exterminated. Hatorask was the name of a small inlet, a little to the westward of Cape Hatteras. The land, adjoining the cape, was called Paquewock. The second inlet, to the westward of the cape, was called Oceam; and there was a third inlet, a few miles to the eastward of the present Oca-coke, that was called Wokokon. The section of the bank that lay between Oceam and Wokokon was called Croatoan; and the point of main land, now called Croatan, was called Dasamonquipo. Roanoke river was Moratock; Albemarle sound was Weapomiock; and Chowan was Chohanoke. This river gave its name to a numerous tribe. All the Indians, who lived on the eastern waters of Albemarle, were called Weapomiocks; but the subdivisions of this tribe were called by the

several rivers on which they lived. Okisko was their chief.

The conduct of governor Lane cannot be deemed instructive, except by showing us what we should not do; for he attempted every thing among the savages by force, nothing by persuasion; hence it followed, that while he was pursuing his researches in the interior, a powerful confederacy was formed against him near the coast. Granganimo, who had been a friendly chief, died in the spring; upon which, his brother Wingina succeeded to the government of his subjects, and removed from Socotan to the mouth of Albemarle sound. This chief had never expressed any attachment to the adventurers; but their late imprudent and despotic measures had made him a determined enemy. While the governor tarried among the Chowanokes, their king, Monatenon, was very desirous

of being relieved from such a visiter. He described a powerful king to the northward who lived upon an island.* Many of his subjects lived near the sea; and pearls were plenty in his dominions. He referred to the waters of Chesapeak. The distance, as he alleged, was not more than three days' journey; and he offered guides, if the governor should be disposed to make that king a visit. But pearls were not the object of this adventurer. He was in search of gold. The river Roanoke was then described as the certain road to great discoveries. Moratock river was said to rise thirty or forty days' journey above the town of that name, from a great rock; and that rock was so near the ocean that salt water was dashed across it by every storm, so as to injure the fresh water in the

* An island in James's river.

river. Skiko, the son of Monatenon, assured the governor, that there were valuable copper mines on the river, as he had been informed by other Indians, for he had not travelled so far. The ore yielded two fifths of pure copper, as they alleged, not so red or hard as the copper from Europe. The governor was confident that he had now discovered the South sea. Of the copper there could not be any doubt; though he rather conceived that gold was the metal they described, from its being washed down by torrents. He resolved to go in quest of those treasures. By a strange abuse of power, the governor had seized Monatenon and held him prisoner in the midst of his own subjects. That sachem could bring three thousand bowmen into the field. When Lane determined to ascend the Roanoke, he liberated Monatenon, but made his son Skiko a prisoner. As the governor was not acquainted with the navigation

of the river, he sent to the coast for a pilot; and Wingina was enabled, by that incident, to expose him to danger. He privately informed the Moratock and Mangoack Indians that Lane intended to destroy them. They believed the story, and removed their families and corn from the banks of the river. The governor ascended the river with two boats and forty men; but he suffered in a short time by the want of provisions; for he had expected to get a supply from the natives. He did not see an Indian for three days; but his people would not return. The Moratock Indians had fled; but they confided that they should make some of the Mangoacks prisoners, who must be ransomed by a good supply of provisions. The calls of hunger were stifled by the more powerful thirst of gold. On the evening of the third day, some Indians, from the river bank, called Manteo, and began to sing. Manteo put

on his armour; and a shower of arrows taught the governor that he was among his enemies. He landed and pursued the Indians, in vain, until it was dark. On the next morning he descended the river. In the course of that day, he reached Cheponock, the present site of Edenton. The Indians of that town had also fled; but he got a supply of fish in their wears. On the next day he arrived at Roanoke island.

While Lane was engaged in his romantic expedition, searching for gold and the Pacific ocean, it had been reported that he was killed by the Mangoack Indians. Wingina believed the story, and resolved to destroy the colony, by removing his people from the island and neglecting to plant corn; but the return of the governor, with Skiko his prisoner, who was the son of a powerful prince, made a temporary change in his projects.

He suffered his people to set wears and plant corn. This favourable appearance was increased by the conduct of Monatennon, who ordered Okisko, a subordinate prince, to do homage to queen Elizabeth. This homage, by twenty four captains in behalf of their chief, produced the semblance of respect in the conduct of those Indians before whom it was performed. But Wingina, a dark and dangerous enemy, in the meantime was preparing for a tragical adventure. The claim of homage, by a distant potentate, had no tendency to gain his esteem or quiet his fears. This prince, who trusted more to artifice than strength, made preparations, as he alleged, to celebrate his father's death in a splendid manner. The Mandoacks from Currituck, the Chesopians and the Weapomiacks, were invited to attend the festival; and fifteen hundred warriors, of those tribes, assembled at Dasamonquipo, the tenth of June. Twen-

ty or thirty of the bravest men were instructed to set Lane's house on fire by night; it was covered with reeds. The governor would turn out, as they expected without his arms, to escape the flames; and the bravoos were to put him to death. The flame of the houses was to be a signal to the Indians at the point, who were to cross in their canoes and destroy the colony. With all these preparations, Wingina had doubts concerning the issue of his project. He apprehended that the white men, collected together, might prove too strong for his auxiliaries; therefore he caused all the fish wears to be destroyed; and his people were instructed not to sell any corn. In consequence of those measures, the colonists were scattered abroad in quest of food. Wingina remained at the point; but some of his associates had crossed to the island, to take the lead in the projected massacre. The cloud was ready

to burst on the heads of the devoted colony, when Skiko, the brave and generous son of Monatenon, disclosed the dangerous secret. Upon this discovery Lane began to plot in his turn. He sent a messenger to Wingina, informing him that he proposed going to Croatoan, on the following day, to look for ships that were expected on the coast; that he should call upon him in the morning, to get some corn, and people to assist him in catching fish. He destroyed the canoes of the visiting Indians in the night, and killed some of those people. In the morning he called upon Wingina, who was attended by six or eight of his chiefs; for they had not heard of the disaster in their island. They were all put to death. The colony in that manner escaped destruction; but their fears did not subside. Sir Richard Granville, who promised to return in the spring, had

not arrived; but a messenger from Croa-
toan gave notice that sir Francis Drake
was on the coast. He had been instructed
to visit the colony on his return from
an expedition against the Spanish West
Indies. The admiral cast anchor in the
open road; for no large vessel had
hitherto crossed the bar. He supplied
the colony with a bark of seventy tons,
and four months' provisions for one hun-
dred men. He furnished them also with
two pinnaces and a sufficient number of
able seamen; but the bark, with the
men and provisions on board, was driven
to sea in a storm. She did not return.
The admiral offered another vessel of
double the size, with a good commander
and a sufficient supply of provisions; but
the ship could not be put into a place of
safety; and the colonists, whose spirits
were broken by disappointments and
dangers, without fortitude and without

resources, returned to England in the fleet.*

A ship of one hundred tons, loaded with stores, arrived on the coast a few days after the fleet had sailed; but the master returned to England, as he found no remains of the colony. About a fortnight after his departure sir Richard Granville arrived at Hattorask with three ships. Not finding the storeship, nor any traces of the colony, except empty houses; and being unwilling to abandon the country, he landed fifteen men with provisions for two years, and left the coast. Sir Richard was a military man; his ships were armed; and he was more disposed, and much better calculated, for prosecuting war than cultivating the arts of peace in a young colony.

* They sailed 19th June, 1586.

Not discouraged by repeated disappointments, sir Walter adhered to his original plan. He fitted out three vessels, the next spring,* and took other measures for making a permanent settlement. The chiefs of the new colony were incorporated, by the title of "The governor and assistants, of the city of Raleigh, in Virginia;"† and they obtained all the prerogatives, jurisdictions, royalties, and privileges, that had been granted to sir Walter by the queen. Women and children came out with those adventurers; and they were instructed to call at the West Indies for cattle and fruit trees.

* 1587.

† No city was built or founded by those unfortunate men; but the legislature of North Carolina, after a lapse of two hundred years, in grateful remembrance of the man who was the parent of the British colonies in America, and planted the first colony in North Carolina, called their seat of government by his name.

From his improved knowledge of the country, sir Walter had reason to confide, that a colony might now be planted in safety. Governor Lane had discovered the mouth of Chesapeak bay; and sir Walter gave particular instructions to the colony, not to settle at Roanoke island, but proceed to the waters of Chesapeak, where they might build a city on the bank of some river, and detain one or two of their vessels to be employed in collecting provisions and keeping the Indians in check. The officers were instructed to call at Roanoke, and take off the men left there by sir Richard Granville. The largest ship, on this expedition, was commanded by Simon Fernando, who had been twice on the coast of Carolina as a pilot. The projects of a great man, the hopes of a nation, and the lives of many innocent people, were blasted together by the perfidy of that contemptible mariner. His origin is not

stated; nor do we know that he was bribed by the Spaniards, though he was in habits of friendship with the governor of Hispaniola; but every step he took, on that expedition, was marked with a design to defeat the colony. The parties interested, by a fatal mistake, had not the power of controlling him. The vessels stopped on their passage at Santa Cruz; but Fernando would not stop at Hispaniola, for salt or live stock, although he passed in sight of the island. This was a second disappointment; for he had put into a bay on the coast of Portugal, where he left one of the vessels in distress. The ship and pinnace arrived at Hattorask the twenty-second of July. White, the governor, with fifty good men embarked in the pinnace to search for the men that had been left on Roanoke island; but they were no sooner under weigh, than the seamen were ordered by Fernando not to bring back the planters

nor any person except the governor and two or three of his friends; for he intended to sail immediately for England. The governor remonstrated against those orders in vain; for the sailors were under the command of Fernando. The party landed that evening on Roanoke island, where the former adventurers had constructed a fort. The houses left by those people were repaired; and the colonists were cheered, in a few days, by the arrival of the vessel that had been left in distress. Six days after their arrival, one of the assistants was killed by the Indians, while he was fishing, at a small distance from his companions. An officer was sent to Croatoan, in company with Manteo, to inquire the fate of those men, who had been left by sir Richard Granville; but he got no intelligence except that they fled in their boat, after one of them had been killed by the natives. The governor sent a messenger

to the Indians at Dasamonquipo, lately commanded by Wingina, to signify his desire of treating for peace; but they fled from their town, instead of treating as they had promised. Every step, taken by those people, was marked by a spirit of deadly hostility.

The ships being ready to sail, governor White was entreated by the planters to return to England, that he might solicit their affairs.* He was not inattentive to his friends in the colony. Ships

* Governor White, on his return to England, touched at a port in Ireland, where he is believed to have left the potatoe that thrives so well in high latitudes, though it cannot resist intense cold. It is said that the potatoe has been found near the coast in Carolina. Certain it is that the yam has lately been found in its uncultivated state in the woods near Edenton. Roots of this kind cannot be numerous where hogs are numerous, as they have been for one hundred years in Carolina.

were prepared and ready to sail the next spring, with more planters and sufficient supplies; but that expedition was suspended, with many other private concerns, by the Spanish armada, that threatened to subvert the English government. Two armed vessels were nevertheless despatched from Biddeford, with provisions; but they were driven back by the enemy.

Sir Walter Raleigh had now expended forty thousand pounds sterling, in his attempts to settle a colony; and he was not relieved by any returns from America; for the profits of trade fell into the hands of other people. The privilege of trading to Virginia was nevertheless deemed, by mercantile men, to be a desirable object. In that case, it was natural to confide, that the spirit of commerce would preserve an intercourse

with the new discoveries, until a colony should be established there. Under these impressions, sir Walter assigned to Thomas Smith of London and his associates, the privilege of trading to Virginia, and continuing the colony there; reserving only, to himself, one fifth part of the gold and silver they should discover.* He engaged also to confirm to them all the privileges he had granted to the colony, then settled on Roanoke island. In the mean time, he continued his endeavours to relieve the colony; for he could not trust the philanthropy of a mercantile company, who would rather confine their speculations to Chesapeak bay, than trust their ships in an open road, near Cape Hatteras.

* The assignment was made 7th March 1589.

After the defeat of the great armada, many adventurers were prepared to cruise against the Spanish commerce in the West Indies. Three privateers, fitted at Bristol, by the same owner, were ready to sail: but they were prevented by a further embargo. Sir Walter obtained a special permit for the sailing of those privateers; it being provided, that the owner should bind himself, under the penalty of three thousand pounds, to carry governor White and a number of planters, with their furniture, to the new settlement in Virginia. The pass being obtained, before the bond was executed, the ships were despatched, without a single passenger, except governor White and his servant. After taking some prizes in the West Indies, one of the privateers, stretching to the northward, cast anchor in five fathoms water, off Roanoke inlet. Governor White, landing

with a small party, did not find a single man on the island. The houses in the old town were destroyed; but the place was fortified with palisades of large trees, curtains, and flankers. Part of the works are seen at this day. The planters had talked of making a settlement near the head of Albemarle sound; but they promised to inscribe, on a tree, the name of the place to which they should remove; cutting a cross, over the inscription, in case of being pressed by any calamity. The word Croatoan was carved in capitals, upon a post, at the entrance of the fort, without a cross. Within the fort were bars of iron and pigs of lead, nearly overgrown by weeds; but the pinnace was not found, nor the small piece of artillery, that had been left with the colonists. The commanding officer expressed his willingness to sail for Croatoan; but the wind being at north-east, he lost his best anchor in heaving

up. He dropped another anchor; but it did not hold, and he slipped the cable in order to clear the land. The wind shifting in a few hours to the northwest, he changed his plan and directed his course for England.

Other vessels were sent, year after year, by sir Walter Raleigh, for the sole purpose of relieving the colony:* but the commanders do not appear, in a single instance, to have seen Roanoke island. They sought their private emolument in pursuit of other objects, and returned to England with trifling excuses.

It may appear strange to some of us, who were born in America, that Raleigh

* The colony that was left on Roanoke island consisted of ninety-one men and seventeen women, beside two children of Dare and Harvie, who were born in the island.

should have found so much difficulty in forming a settlement. One colony after another returned to England, because they could not maintain themselves on the sea-coast in Carolina. One hundred men, after they had been ten months in the country, were in danger of starving, unless the Indians had supplied them with corn and fish. It will appear more remarkable, that seven eighths of a subsequent colony should have perished in six months, by the want of a constant supply of provisions, after part of them had lived three years in the country. Of nine thousand emigrants, who arrived in Virginia in the space of twenty years, not more than two thousand were alive at the end of that period.

“Tantæ molis erat

—————condere gentem.”

We have seen the states of Kentucky and Tennessee spring out of the wilder-

ness in a few years; and we know with how much ease our fellow-citizens can plant a new country. They clear land and raise corn enough, in four or five months, to make themselves independent. In case of necessity, they can support themselves by a gun, while the corn is growing. Great allowance is doubtless to be made for the description of men, who first came over. They were not accustomed to the use of a gun, nor were they trained to labour. But the misfortunes of those people may chiefly be traced from the spirit of the times. The mind of man, like his body, is subject to epidemical complaints. There have been instances, not a few, in which great bodies of men have been so much disordered in their minds, in reference to a particular subject, that they seemed to be perfectly insane. Not to mention the cases of insanity, that frequently appear in small societies, it may be recollected that the

British nation, or a considerable part of them, enriched themselves for several months with the froth of the South sea. The French nation, in equal contempt of reason, amused themselves for a considerable time in dancing after a Mississippi bubble; and the Hollander exchanged industry, economy, and commerce, for the shadow of a spotted tulip. When we say that the minds of those people suffered a temporary derangement, we put the most favourable construction upon their conduct. Many people in Europe, after the discovery of America, seem to have laboured under a similar species of insanity. They dreamt of nothing, they expected to find nothing, in the new world, but prodigies and wonders. The rapacious Spaniard had extorted much gold and silver from the helpless natives; hence it was presumed that gold and silver abounded in America, as iron, marle, or fossile coals

abound in the other continent. They needed only the mattock or spade of a digger. The first adventurers, to a man, came out in quest of the precious metals; and they suffered many hardships before their golden dreams had vanished, or before they could reconcile themselves to the thoughts of labour. When they began to work, they did it without skill; and many years elapsed before they acquired the simple art of cultivating Indian corn. We have lately seen a small French colony, on the Ohio, distressed for several years, before they could support themselves, though they had the advice and example of American farmers. After all allowance has been made for the description of men who first came over, and the circumstances under which they settled, I think it probable, that the native white American is more ambidextrous; that he has a greater ver-

satilily of genius, and can more readily turn himself to all the necessary demands of life, than the native of the other continent.

CHAPTER III.

A PLANTATION IS FORMED NEAR THE MOUTH
OF JAMES'S RIVER. SOME OF THE COLO-
NISTS MIGRATE TO THE SOUTHWARD.

AFTER the death of queen Elizabeth, sir Walter Raleigh could neither obtain favour nor justice at court. He was not fitted to the times. His enterprising and military spirit excited the fears of James the First, who was a vain pusillanimous prince. In the short space of eight months Raleigh was disgraced, arrested, tried,* and condemned, at the instance of his sovereign.

* He was accused of having confederated with the lords Gray, Cobham, and others in a plot for placing Arabella Stuart on the throne. That lady was related to

As the lands that lately were discovered in Virginia had become the object of great expectation, sundry lords and gentlemen, in London, prayed the king that he would give them a title to the new country. In consequence of that petition sir Thomas Gates, sir George Sommers, and others, were incorporated with liberty to form a plantation in any part of Virginia, between the thirty-fourth and forty-first degrees of north latitude. Another patent was granted, at the same time, to a company in Bristol and the west of England, to form a settlement in a higher latitude. A second charter, enlarging and explaining the first, was granted to the London company, twenty-fourth of May, 1606, who were very numerous. This company sent out a

king James, by the Lenox family, and was equally descended from Henry the Seventh.

small colony the next spring, who arrived in Chesapeake about the first of May. They were to be governed by a president and council, who were vested with legislative power. This little colony was distracted with the baneful spirit of discord, from the day in which they sailed. They arrested captain Smith on the passage, upon a charge of intending to murder the council and make himself king. The personal merits of that officer had excited the jealousy of those worthless adventurers. He was the only intelligent, brave, and deserving officer who had embarked in that enterprise. He had formerly served against the Turks and acquired reputation by his valor. The names of seven men, chosen by the company to form a council, had been inclosed in a sealed cover, that was not to be opened before they arrived in Virginia. When the seals were broken, it appeared that Smith was a member of the coun-

cil; but he was not suffered to act in that capacity. He was ordered up the bay to explore the country. Upon his return, he demanded a trial; and being fully acquitted, he took his seat in council. The witnesses, adduced against him, accused the persons who suborned them; and Wingfield the president, being the most guilty, was ordered to pay him two hundred pounds. The shipping departed for England in June, taking as usual a cargo of cedar, sassafras and other wood. One hundred and eight persons were left in the country; and fifty of that number died before winter. The survivors were preserved by the prudence and diligence of captain Smith, who, by a strange reverse of fortune, had obtained the government of the colony. Wingfield and Kendal, two of the council, had been convicted of embezzling the stores, and degraded; others had sailed for England, and some were dead. The government of

the colony rested upon Smith and Martin; but Smith was the only man of business. In one of his excursions, during the winter, in quest of corn, Smith was surrounded by the Indians and taken prisoner. They knew his rank, and conducted him to Powhatan the emperor. That man had thirty subordinate and tributary kings. He had a body guard of two hundred men, and lived in great barbaric splendor. He was some days consulting what should be done with Smith. He resolved at length to put him to death. A great stone, for this purpose, was placed on the floor; and the executioners were to beat out his brains with clubs. At the instant in which his head was laid on the stone, Pocahontas, the favourite child of the emperor, who was in her thirteenth year, flew to the prisoner, clasped his neck and covered his head by her own. Persuasions were ineffectual; for nothing but force could

remove her. The emperor was greatly affected by an incident so little expected in the presence of all his nobles. He paused and yielded to the intreaties of his daughter. Smith was detained some weeks, as an ingenious artist, to work in the palace; but the emperor, being informed of the wonderful effects of a grindstone, and the more astonishing effects of a cannon, Smith was liberated under the promise of sending from Jamestown, the seat of the colony, a grindstone and two pieces of ordnance. When he arrived at the fort, he delivered the cannon, according to his promise; but the Indians were greatly disappointed in not being able to carry them. The grindstone was portable; and the messengers were dismissed, well pleased with presents that Smith sent to the emperor and his women. The detention of the president, a few weeks longer, must have proved fatal to the colony; for he

found them on his return, in a state of anarchy and confusion; the strongest party being ready to escape in their bark. By the arrival of a storeship, in the spring, those mutinous and discontented people were governed, for a few months, with less trouble. In the beginning of winter, when the leaves had fallen, the president despatched a hardy woodman to the Chowanoke Indians, under the pretence of sending presents to their king; but his object was to inquire for the Roanoke colony. He sent two other men to the Mangoacks, on the river Nottoway; but they returned, as the other had done, without any information except that the white people were all dead.

The London Company, not satisfied with the returns they had received from Virginia, applied for another charter, which they obtained, with more ample

powers.* In consequence of the new charter, in which many lords and gentlemen of great influence were named, such a spring was given to the affairs of the company, that five hundred adventurers came out the same year. Lord Delaware was appointed governor of the colony; sir Thomas Gates and sir George Summers being lieutenant governor and admiral. These gentlemen were authorized to discharge the duties of governor until lord Delaware should arrive; but coming out together, they had the misfortune to suffer shipwreck on the islands of Bermudas. The new adventurers, in consequence of that disaster, being a profligate set, without prudence, industry or any knowledge of business, in a short time had fallen into a state of general confusion. Captain Smith, in that case,

* It was dated May, 1609.

with the hope of saving the colony, resumed the command, alleging that his power had not been legally suspended. His task was difficult; but he adopted the best expedient for ruling such disorderly people: he divided them. One hundred and twenty were detached to form a settlement on Nansamond river, and the same number to the falls of James river.

As the president, after some time, was returning from the falls, fire by some accident was conveyed to his powder-horn, while he was asleep in the boat; and he suffered greatly by the explosion. In consequence of his wounds he was obliged to sail for England; and the colony was again reduced to the verge of destruction by ignorance, indolence, and intemperance. A succession of twenty presidents, who attempted to govern, in the space of a few months, is a sufficient

indication of the character of those people. They consumed their provisions by riot and dissipation; but they had not sufficient address to get a supply from the natives. Of five hundred persons, who were left in the province by captain Smith, not more than sixty were alive at the end of six months, including women and children. Sir Thomas Gates and sir George Summers, having built two small barks in Bermuda, arrived at Jamestown about the middle of May: and the wretched remains of the colony embarked with them to depart for England. As they were dropping down the river, they met lord Delaware with three ships and a plentiful supply of provisions. By the prudence and fortitude of the new governor, order was restored and industry promoted. Lord Delaware, departing for England the next year, in bad health, was succeeded in his command by sir Thomas Dale, who brought with

him a good supply of men and cattle; but he was not thankfully received, for he compelled the planters to work. Pocahontas,* the emperor's daughter, had saved the colony once and again, by informing them of the time and manner in which her father proposed to cut them off. She was afterwards, at a considerable distance from Jamestown, induced to come on board a small vessel, with some female attendants, to examine the construction of a floating house. The captain thought fit to carry her to the fort, where she was treated with the utmost respect; but the governor detained her as a valuable hostage. During her residence at Jamestown she formed an acquaintance with John Rolfe, a worthy young man, who loved her as she deserved; and their affections being mutual they were mar-

* April, 1613.

ried by the emperor's consent. From that time the colony enjoyed peace during her life. As the destruction of the colony was certainly prevented by the exertions of captain Smith, and his life was saved by the signal humanity of a young savage; we learn with pleasure that the posterity of Pocahontas, now called by different names, are numerous and respectable in Virginia, though every other branch of the imperial family, without fruit or leaf, has long since mouldered in the dust.

From this period the colonists, being able to support themselves, increased in number and acquired property, though they suffered occasionally by the weakness or rapacity of a governor. The number of settlers about Jamestown, being greatly increased by the arrival of men and women from England, a small party

was detached* to the post that had formerly been taken on Nansamond river by order of captain Smith. From that settlement emigrations commenced, in a short time, to the waters of Albemarle sound, by the way of Blackwater and Bennet's creek. Currituck was planted, at the same period, by the way of Elizabeth river.

King Charles, coming to the throne, dissolved the London Company and took the government into his own hands.† From that time patents were issued in his name, with a reserved quit-rent of two shillings for every hundred acres. The lands were holden in free and common soccage;‡ and every man who set-

* 1621.

† Anno 1626.

‡ The settlers before that time had been tenants at will.

tled in the province was allowed fifty acres of land for himself, and the same quantity for every person in his family; provided he should clear and plant three acres for every such person within the space of three years. Upon this change, the province increased rapidly; but its growth was again checked by the avarice of sir John Harvey their governor, who, under the cloak of power, imprudently put into his hands, insulted the best subjects, and inflicted such intolerable fines that the council apprehended him and sent him to London a prisoner.

Harvey was succeeded in the government by sir William Barclay. This gentleman was removed from the government by Oliver Cromwell; but he resumed the administration upon the death of the Protector, and proclaimed Charles the Second. Barclay was a man of strong passions with considerable address. Dur-

ing his administration the government was nearly overturned by a riot, that is usually called Bacon's rebellion. The particulars of that rebellion, which cast a dark shade upon the character of sir William Barclay, have never, that I have seen, been fully explained. The reader may find the story among the proofs and explanations marked D, as I have extracted it from an original manuscript.

Among the vices of a profligate king, the religious intolerance of Charles the Second was not the least hurtful to a young colony. Severe laws were enacted in Virginia against the quakers, who were equally vexed on both sides of the Atlantic.* By an act of the Virginia le-

* By an act of the 13th of Charles the Second (1662) entitled "An act for preventing the mischiefs and damages that may arise by certain persons called quakers, and others, refusing to take lawful oaths," it was provided

gislature every master of a vessel, who should import a quaker, unless such as had been shipped from England under an act of the thirteenth of Charles the Second, was subjected to a fine of five thousand weight of tobacco, for the first offence. Intolerant laws were made at the same time against sectarians of every denomination in Virginia; and many of the most industrious subjects were constrained to leave the colony. They fled to the wilderness, at the distance of eighty or ninety miles from the operation of those laws. Hence it

that every five of them, meeting for religious worship, should be fined for the first offence five pounds; for the second offence, ten pounds; and for the third offence, abjure the realm or be transported by order of his majesty to any of his plantations. Many quakers refused to take the oath; and they were transported accordingly. Sixty of them were exported from England in one ship, *the Black Eagle*, in March 1664, and the governors of the plantations were ordered to receive them.

followed, that the first settlers, near Pasquetank and Perquimons, were chiefly emigrants from Virginia and dissenters from the established church of England; many of them were quakers. Such was the effect of a persecuting spirit in Virginia, and such is the connexion between the first settlements in Virginia and those in North Carolina. Such also is the connexion between the original attempts of sir Walter Raleigh and the final settlement of a colony on the waters of Albemarle.

No prince could be more liberal than Charles the Second, in rewarding his friends with that which cost him nothing; nor was he without precedent, in his own family, in granting the same thing a second time. James the First divided the province, that had been granted to sir Walter Raleigh, between two companies; and Charles the First

granted a considerable part of the same territory to one of his favourites. In the fifth year of his reign, he granted to sir Robert Heath, the attorney general, all that part of America from the river Saint Matthew in thirty degrees of north latitude, to the river Passo Mago* in thirty-six degrees, and extending in longitude from the Atlantic to the South sea; also all the islands of Veanis and Bahama, not being in the actual possession of any christian prince; creating the said sir Robert Heath, his heirs and assigns, true and absolute lords and proprietors of the said region and territory; saving the faith and allegiance due the king and his successors. The territory thus granted was erected into a province by the name of Carolina. The laudable zeal of

* The great entrance, viz. Albemarle sound.

sir Robert Heath for promoting the christian faith, enlarging the empire, and increasing the commerce of the kingdom, at his own charge, are stated as motives to this grant. Sir Robert, upon the twenty-third of Charles the First, conveyed the province to lord Matrovers, who, on the death of his father, became earl of Arundel and Surrey. He intended to have planted a colony, and sent a vessel to examine the coast; but he was interrupted by the civil war; in which he was one of the king's generals. Charles the Second granted to eight of his favourites the territory that had been twice or three times granted to other persons; the patent issued to sir Robert Heath being declared void, "because the conditions, on which it was granted, had not been fulfilled." His majesty was pleased to grant to Edward earl of Clarendon, George duke of Albemarle, Wil-

liam earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Calleton, and sir William Berkeley, all that province or tract of land that lieth between thirty-six degrees and thirty-one degrees of north latitude, extending from the Virginia seas westward to the South seas, together with all the royalties, properties, jurisdiction, and privileges of the county of Durham or any other county palatine. This charter was dated the 24th of March 1663. A second charter was granted them* after they had obtained more correct information concerning the country. The second charter included all the lands that lie between the latitude of twenty-nine degrees, the beginning of that degree, and the latitude of thirty-

* The 30th of June 1665.

six degrees and thirty minutes, being eight degrees and thirty minutes, and extending from the Atlantic to the South sea.*

* See Proofs &c. D.

CHAPTER IV.

CHARLES THE SECOND GRANTS THE SOIL
AND SEIGNIORY OF CAROLINA TO EIGHT
LORDS AND GENTLEMEN, UNDER WHOM
THREE GOVERNMENTS ARE FOUNDED.

WE have now arrived at a period, from which we are to trace the progress of a small colony, seated in Carolina. A colony, as the reader observes, that was not seated by any design of the national government, to extend its commerce or to civilize the Indians. Nor was it seated by ambitious men, through the desire of obtaining large seigniories or collecting treasures of gold. It had been thriving, for several years, like a foundling, without the fostering hand of a parent. It was the child of despotism

and intolerance; but it was the first colony that adhered to the soil, took root, and continued to grow. In reviewing the progress of this colony, the reader is not to look for those incidents, which are confessedly the most admired in civil histories. He will not be entertained by long details of battles and sieges; of countries laid waste, cities reduced to ashes, and men extirpated by thousands. He will not be amused by the achievements of great men, such as Alexander and Gengis Kan: men who are called great, not because they enacted good laws, or made their subjects happy; not because they performed a series of good actions: they were called great, because they committed great robberies and innumerable murders; desolated kingdoms, and filled the earth with widows and fatherless children. Like a general famine or pestilence, they were a great curse. In the history of this co-

lony, he will find nothing that is marvellous or uncommon. He will find a colony labouring for sixty or seventy years under a constant succession of calamities and disasters. He will see anarchy and confusion constantly prevailing against the advantages of soil and climate. He will see that the public peace was destroyed, and the subjects were involved in broils, sedition, and misery, once and again, by the artifice and intrigues of little villains. The history of such men is less amusing than the exploits of great robbers; but it may be more useful in the common path of life. We seldom find much difficulty in knowing our duty; but we need advice, example, or experience, to shun the snares of ambitious or wicked men.

The proprietors of Carolina had reason to promise themselves a considerable revenue from their new province. The

territory was extensive; the produce valuable; and the difficulties of planting a colony were chiefly overcome. People had been removing to that country for more than twenty years, at their own expense; whereas, former colonists had been transported and fed at the expense of other men.

There were two settlements within the limits of North Carolina, when the last charter was granted. The chief settlement was on the waters of Albemarle, to the northward of the sound. The other was a small colony, that had removed from Massachusetts, and seated themselves upon Charles river; that is now called Oldtown creek, near the south side of Clarendon river; that is usually called Cape Fair by a strange corruption of terms, because there is a dangerous cape at the mouth of the river

that is, not without reason, called Cape Fear.

No time was lost in forming governments for these several colonies.* A county was erected on the waters of Albemarle; and the board of proprietors authorized sir William Berkeley to superintend the affairs of that county, and constitute a governor† and a council of six, who should rule the community according to the powers granted in the charter. He was also instructed to confirm people in their possessions,‡ and

* A county was originally a distinct government.

† See Proofs and Explanations, E.

‡ As the first settlers, on the waters of Weapomiock, now called Albemarle sound, were chiefly refugees from ecclesiastical oppression, they had no claims on government; nor did they wish to draw its attention. They regarded the Indian natives as the true lords of the soil; treated with them in that capacity; purchased their lands,

grant land to all applicants, allowing three years for payment of quit-rents. Laws were to be made, by consent of the freemen or their delegates; and those laws were to be remitted to the proprietors for their approbation. Sir William Berkeley visited the colony in person the following summer, and appointed such officers as then appeared necessary, making Drummond their governor. The proprietors, at their first meeting, had published proposals to such persons as should settle in Carolina. The terms were calculated for the meridian of New England; from which, as appears by one of their letters,* they expected the chief

and obtained their grants. The number of those people, in the process of time, had drawn the attention of government; and sir William Berkeley, the governor of Virginia, in the year 1661, was instructed to give them other titles to those lands, causing them to hold under the crown.

* See Proofs and Explanations E.

supply of planters. They promised that every man should enjoy the most perfect freedom in the exercise of his religion. By their subsequent conduct we shall see with how much sincerity or truth they made that promise. Adventurers were promised gratuities in land, according to the number of their respective families. They were also to enjoy freedom from customs, according to the charter. The settlers were to present thirteen persons to the proprietors, who were to choose a governor and council of six out of that number. The governor, council, and delegates, to be chosen by the people, as soon as the circumstances of the colony would permit, were to make laws, not repugnant to the laws of England, nor to be in force if disannulled by the proprietors. Before those measures had produced any effect, the New England colony, who had settled on Oldtown creek, were driven away by the

Indians.* Those people had shipped off some Indian children, for the purpose, as they alleged, of having them educated to the northward. The Indians, in a short time, were induced to believe that their children had been sold into slavery. The very suspicion of this outrage upon humanity excited general indignation and hostility. The Indians, without other weapons than bows and arrows, by killing or stealing cattle, and by other acts of constant aggression, caused those people to leave the settlement. We are not willing to believe, that any class of men were guilty of deliberate cruelty, under the semblance of friendship; although the lax state of morals among the original settlers, and the prevailing custom

* They had settled on that river in the year 1660, and deserted their habitations before the autumn 1663, leaving many hogs and neat cattle in the hands of the Indians.

at that period, of selling the miserable natives into slavery, gave too much countenance to the charge. The Massachusetts emigrants alleged the sterility of the soil, as the chief cause of their deserting the settlement. Whether this or the other was the true cause of their removing, this alone was a sufficient cause.

Some planters in Barbadoes, who wished to remove to the continent, employed captain Hilton, about this time, with fifteen or twenty men, to explore the coast. The site of the late colony had drawn their attention; and the captain was instructed to be particular in examining the lands from which they had removed. He anchored within Cape Fear,* and proceeded up Clarendon

* September 1663.

river in his boat, until his progress was stopped by logs. While he was on the river, he purchased from the Indians a considerable tract of land; for which he paid them in kettles, beads and other articles in demand among the savages, for use or ornament.

Those people, having made their purchase from the Indians, solicited a grant of thirty-two miles square from the proprietors, with the powers of a corporation. Those powers were refused; but they obtained liberal grants of land and every other reasonable indulgence. In consequence of those arrangements, a small colony from Barbadoes seated themselves near the mouth of Oldtown creek,* on the south side of Clarendon river; and a county was established in

* Anno 1665.

that part of the province, named Clarendon, with the same constitution and powers that had been granted to Albemarle. Sir John Yeamans was chosen governor of the county. This gentleman's father, an alderman of Bristol, during the civil war had been executed by Fiennes, the governor of that city under the parliament, for attempting to betray it to the forces of king Charles. The son was created a baronet to reward his father's loyalty; but the title only served to make his poverty the more conspicuous; wherefore he removed to Barbadoes to mend his fortune.

As the safety of a young colony is proportioned to the number of fencible inhabitants, the Barbadoes emigrants endeavoured to strengthen themselves by making the most flattering offers of land to all adventurers. They promised, through the indulgence of the proprietors, to

every man who should join them before the last of March 1667, one hundred acres of land in fee, and the same quantity for his men servants, and each of his children. He was also to have fifty acres for each of his women servants and slaves, upon the condition, that he should bring with him a good musket, ten pounds of powder, twenty pounds of lead, and provisions for six months.* Every man servant, when free, was to have one hundred acres of land, two suits of apparel, and the necessary tools for his trade. They were, as in the other colonies, to be governed by laws made by the lords proprietors, until they should become sufficiently numerous to have representatives chosen annually by themselves; by whom, with the governor and his council, their laws were to be made. They chose

* See A Brief Description of Carolina, printed by Robert Herne, Gresham College, London, 1666.

their own governor, who was to continue in office for three years. This was a privilege peculiar to the Cape Fear colony.

There are soils upon which neither animals nor vegetables increase. This was unfortunately the case with the tract upon which the West India planters had settled. In May 1666 there were not more than eight hundred persons in the colony. They supported themselves nevertheless, a few years, by exporting boards, shingles, ton timber, and staves, to Barbadoes; from which they received dry goods and West India produce. They had the good fortune to preserve peace with the Indians; and the governor of their choice ruled them with prudence and affection.

The first legislative assembly, of which we have any notice, was convened in Albemarle county in the year 1667.

Hitherto the inhabitants had lived without anxiety or care. They had no law-suits; for they were not in debt. They had little need of money; for they had no taxes to pay. But the time was at hand, in which they were to pay quit-rents for their lands. By that circumstance they were induced to examine their titles, and consider the terms and conditions on which they held those lands. The terms were not satisfactory. The several tracts, offered by the proprietors as a gratuity to promote the settlement of Albemarle, had not been so large as were promised in Clarendon county. This however was not the subject of complaint, for the quality of the land was better; but the terms, upon which titles could be obtained for those gratuitous tracts, had been made more difficult than the terms annexed to similar grants in Virginia.*

* The bounty lands were fifty acres for every person in

The assembly petitioned the proprietors on this subject, and were gratified by an instrument of writing, that is called the great charter.*

The proprietors fitted out a vessel the next year for making discoveries in the southern part of their territory. Seal, who commanded that vessel, was driven by a storm among the Bahama Islands, of which he made a favourable report. He also described the mouths of several rivers or inlets that he had seen in Carolina.

the family, for which a warrant was issued; but those lands, by the conditions of the grant, returned to the proprietors, unless three acres should be cleared and planted within three years for every fifty acres taken up. This did not require great exertions; but, easy as the task may appear, it was more, in many cases, than the settlers were ready to perform. Applications were made every year to the governor and council for more time to save land that had escheated.

* See Proofs and Explanations F.

Upon his report, the proprietors obtained a charter for the Bahama Islands; and they fitted out two ships with adventurers, arms, provisions, and instruments of husbandry, for planting a southern colony. Seal was appointed their governor.* He fixed the colony at Port Royal, where he found deep water and a good harbour. A new county was erected for that colony: it was called Carteret, and extended from Cape Roman southerly. The settlers, after some time, were relieved by a ship from England, in which the proprietors sent deputies to assist the governor. Three distinct governments were then established in Carolina; the several governments being called counties; for a precinct, in the original form, conveyed the same idea that a county does at present.

As it was to be expected, that a great

* Twenty-sixth July 1669.

and fertile province would become the residence of a numerous and powerful body of people, the lords proprietors thought fit in the infant state of those colonies to establish a permanent form of government. Their object, as they expressed themselves, was “to make the government of Carolina agree, as nearly as possible, to the monarchy of which it was a part, and to avoid erecting a numerous democracy.” Lord Ashley, one of the proprietors, who was afterwards created earl of Shaftesbury, a man of fine talents, was requested by the proprietors to prepare a form of government; but he availed himself of the abilities of John Locke, the celebrated philosopher and metaphysician, who drew up a plan, consisting of one hundred and twenty articles or fundamental constitutions, of which the following are the outlines.

Carolina shall be divided into counties
Each county shall consist of eight signio-

ries, eight baronies and four precincts. Each precinct shall consist of six colonies. Each signiory, barony, or colony shall consist of twelve thousand acres. The signiories shall be annexed unalienably to the proprietors; the baronies, to the nobility; and the precincts, being three fifths of the whole, shall remain to the people.

Any proprietor, before the year 1701, may sell his proprietorship and signiories, but not afterwards.

There shall be two orders of nobility chosen by the proprietors, viz. Landgraves and Casiques.

There shall be as many landgraves as counties, and twice as many casiques.

Each landgrave shall hold four baronies, and each casique two baronies.

Any landgrave or casique, before the year 1701, may alienate his dignity with all the baronies annexed, not afterwards.

They shall necessarily descend from that period to his heir; but he may sell or let two thirds of the land for a term not exceeding three lives, or thirty-one years.

There may be manors, to consist of not less than three thousand acres, or more than twelve thousand in one tract or colony.

The lord of every signiory, barony, or manor, shall have the power of holding court leet, for trying causes civil or criminal, with appeal to the precinct or county court.

No leet man shall remove from the land of his lord, without permission.

There shall be eight supreme courts. The oldest proprietor shall be palatine; and each of the other proprietors shall hold a great office: viz. the several offices of chancellor, chief justice, constable, admiral, treasurer, high steward, and chamberlain.

The palatine's court shall consist of

the palatine and the other seven proprietors.

Each of the other proprietors, being at the head of a court, shall have six counsellors and a college of twelve assistants.

The chancellor's assistants shall be called vice-chancellors.

The chief justice's assistants shall be called justices of the bench.

The constable's assistants shall be called marshals.

The admiral's assistants shall be called consuls.

The treasurer's assistants shall be called under treasurers.

The high steward's assistants shall be called comptrollers; and

The chamberlain's assistants shall be called vice-chamberlains.

Of the forty-two counsellors, in the several courts, the greater number shall be chosen out of the nobles or the sons of proprietors or nobles.

There shall be a grand council, which is to consist of the palatine, the other seven proprietors, and the forty-two counsellors, from the courts of the several proprietors. They shall have the power of making war and peace, &c.

Every proprietor may have a deputy, who shall have all the powers of his deputator, except that of confirming acts of parliament and nominating nobility.

In every precinct there shall be a court consisting of a steward and four justices.

In every county there shall be a court consisting of a sheriff and four justices, one from each precinct; all of them chosen and commissioned by the palatine's court.

No cause of any free man, civil or criminal, shall be tried in any court, except by a jury of his peers.

Juries are to consist of twelve men, of whom it shall be sufficient that a majority are agreed.

It shall be a base and infamous thing, in any court, to plead for money or reward.

The parliament shall meet once every two years. It shall consist of all the proprietors or their deputies, the land-graves, the casiques, and one commoner from each precinct chosen by the freeholders in their respective precincts. These four estates shall sit in one room, each man having one vote.

The parliament may be summoned to meet at other times by the palatine's court.

No matter shall be proposed in parliament that had not previously been prepared and passed by the grand council.

No act shall continue in force longer than to the next biennial meeting of parliament, unless in the mean time it shall have been ratified by the palatine and a quorum of the proprietors.

While a bill is on its passage before

the parliament, any proprietor or his deputy may enter his protest against it, as being contrary to any of the fundamental constitutions of government. In which case, after debate, the four orders shall retire to four separate chambers; and if a majority of either the four estates determines against the bill, it shall not pass.

All towns incorporated shall be governed by a mayor, twelve aldermen, and twenty-four others, who shall form a common council.

There shall be a register in every precinct, in which all titles to land, all births, marriages, deaths, &c. shall be registered.

The church of England being deemed the only true orthodox church, no provision shall be made by parliament for any other church.

Every man shall declare himself to be of some church or religious profession, and as such he shall enter his name with the precinct register; from which it may

be struck off by himself or by order of the society of which he had been a member.

No man, above the age of seventeen years, shall have any benefit of the laws, whose name is not recorded as a member of some church or religious profession.

Those fundamental and unalterable constitutions were signed by the lords proprietors the first of March 1669. It would be difficult to account for some of the articles that are contained in this plan of government, except by recurring to the old adage, that respects Scylla and Charybdis.

The proprietors, or some of them, had lately smarted under a government that was called republican. They were zealous royalists; and they expected, by the help of a powerful aristocracy, to obviate

the return of republican measures; but we are sorry to find, among the works of John Locke, who was an advocate for civil and religious liberty, a plan of government, that in some articles does not consist with either.

It will readily be perceived that a government, to be administered by nobles, was not well adapted to a country in which there was not one nobleman; but this was the case in the counties of Albemarle and Carteret.* The lords proprietors, in the mean time, resolved to come as near to the great model as possible. For this purpose, governor Stevens of Albemarle, and Sayle of Carteret, were instructed to issue writs, requiring the freeholders to elect five persons, who,

* John Locke and Sir John Yeamans had been created landgraves; but Yeamans alone was resident in the province.

with five others to be chosen by the proprietors, were to form a grand council for the governor.*

The parliament was to be composed of this great council and twenty delegates, who were also to be chosen by the free-men. In the mean time, the proprietors made temporary laws for the preservation of good order in the several colonies; laws that were little respected by men who had not been consulted in forming them.

Upon the death of governor Sayle, who sunk under the diseases of a sickly climate, sir John Yeamans claimed the office of governor, as vice-palatine; for he was the only landgrave, or nobleman, then residing in Carolina. But the coun-

* In a short time the governor's council was formed in a different manner.

cil appointed Joseph West their governor, until they should learn the will of the proprietors. In a few months, Sir John Yeamans received a commission, by which he was appointed governor of the southern county.* From that period there have not been more than two governments in Carolina.

Ever since their first establishment in this province, the lords proprietors had supported a commercial agent, for the benefit of the planters. He supplied them with cattle, provisions, and implements of husbandry; and he received payment in peltry, beeswax, or the produce of their farms.

It was not understood, for many years, what would be the staple of the southern

* August 1671.

colonies. Men are apt to believe that similar climates and fruits are found upon a continent in every part of the world, between the same parallels of latitude. But it was known that olives, grapes, oranges, almonds, and figs, have flourished upon the old continent between the parallels of twenty-eight and thirty-six degrees; therefore it was taken for granted that Carolina would produce the same fruits in abundance. Lest the planters should be discouraged from exporting their produce, by the weight of the revenue laws, while the colony was young, it was provided by the charter, that from the year 1667, silks, raisins, capers, wax, almonds, oil and olives, might be carried to England, duty free, for the space of seven years. The planters in Carolina, in the mean time, had not availed themselves of that indulgence; nor had they made any progress in cultivating the vine or raising silk. From this circumstance it was in-

ferred, that skilful persons were needed, by whom the planters might be instructed in the necessary arts. About that time a multitude of Huguenots had escaped from France. They were fully instructed in the several arts of preparing wine and silk. Fifty families of those people, men women, and children, were sent to Carolina, by the king, passage free, in the year 1680. Some experiments were made in both Carolinas with the silk-worm and the grape; but the planters were soon convinced that a crowded population, and the consequent poverty of the inhabitants, are necessary to the profitable culture of silk. They also discovered that their time might be more profitably employed than in cultivating the vine, the almond, the fig, or the olive tree. The culture of those plants has therefore been neglected, because they are unprofitable, not because the soil or climate are unfit to produce

them. The mulberry tree is an indigenous plant, and so is the grape vine. Olive and almond trees are observed to thrive; and the fig tree grows in many places spontaneously on the coast. The object of government was to make the colonies profitable to the mother country; but the chief object of the planter was to raise a useful crop, and support his family with ease.

While Sir John Yeamans was governor, some of the planters from Port Royal, and others from Charles river, in Clarendon county, removed to Wando and Keawah, now called Cooper and Ashley rivers, for the benefit of range. The raising of cattle was thought to be more profitable and easy than felling of timber. This new settlement was more desirable on many accounts than either of the original seats of government. A station, at the junction

of those rivers, was healthy, pleasant and easily defended in case of an Indian war; wherefore a town sprung up in that place; and in a short time it became the centre of commerce.

The second colony, that settled near Cape Fear, had never been very numerous. The barrenness of the soil, in that vicinity was not to be overcome, by flattering promises to adventurers. By numerous migrations to the southward, the colony was greatly reduced; and the whole country was again surrendered to the original savage, before the year 1690.

Sir John Yeamans, who had ruled a small colony with prudence and moderation, became insolent, unjust, and tyrannical, when he governed people by whom he had not been chosen. He was vitiated by prosperity; wherefore the proprietors,

in consequence of numerous complaints, removed him from the government.*

Samuel Stevens had been governor of Albemarle from the death of Drummond.† The inhabitants were satisfied with the conditions on which they held their bounty lands. Every man's property was secure; and no taxes could be levied except by consent of the assembly. All denominations of people enjoyed religious liberty upon taking the oath of allegiance to the king and fidelity to the lords proprietors; but we have not seen any laws made by the assembly before the year 1669. The means of increasing the colony seem to have claimed the chief attention of the legislature at that period. For this purpose it was enacted,

* He died in the colony possessed of a handsome estate.

† In the year 1667.

1. That no subject shall be sued, within five years, for any cause of action that may have arisen out of the county.

2. That no person shall receive a power of attorney to collect any debt contracted out of the county.

3. That all settlers be exempted from taxes for one year.

4. That transient persons, who do not belong to the colony, be prohibited from trading with the Indians.

5. That all persons be restrained from making any transfer of lands within two years.

Another and a more honourable mode of increasing the colony was protected by law. There was not any clergyman in Albemarle county; nor was there any regular mode of celebrating marriage. Wherefore it was enacted,

6. That any two persons desirous of being married, and presenting themselves before the governor and council, in the presence of some of their acquaintance, and declaring their mutual consent, should be deemed husband and wife.

A duty of thirty pounds of tobacco was imposed upon every law-suit for paying the expenses of the governor and council during the sitting of the assembly. These laws were all ratified by the proprietors.

The county of Albemarle was at first divided into four precincts, viz. Currituck, Pasquetank, Perquimons and Chowan; in which case, five representatives were chosen for each precinct. When Tyrrel precinct was afterwards laid off, it was permitted to have two representatives only; but the same law provided that it should have five representatives when-

ever it should contain five hundred taxable* inhabitants.

The fundamental constitutions, lately adopted and signed by the lords proprietors, proved to be a source of perpetual discord, instead of promoting the public good. A plan of government that was not favourable to civil liberty, and had little dependence on the will of the people, was regarded by them with an eye of jealousy and a spirit of discontent. During the continuance of the original government, that was professedly temporary, people looked forward to a form that was less desirable, and symptoms of revolt were frequent. While the public mind was agitated in this manner, by contend-

* Taxables were every white male aged sixteen years, and every slave, negro, mulatto, or Indian, male or female, aged twelve years.

ing passions, one Miller, a man of some talents but of a violent temper, was charged with seditious practices and sent to Virginia to be tried by sir William Berkeley; because he was a proprietor. It may appear strange that men, who were complaining of a constitution that would abridge their liberties, should have discovered so little respect for the chartered liberty of a fellow subject. But they were angry; and anger is a bad counsellor. It is the enemy of correct reason or consistent conduct. Miller was tried and acquitted; the proprietors nevertheless condemned the whole of those proceedings, equally subversive of their jurisdiction and the liberty of the subject.

Upon the death of governor Stephens, the assembly, according to the proprietary instructions, chose Cartwright their governor; but he returned to England a short time after his promotion. In that

case Eastchurch, who had been speaker of the assembly and chanced to be in England, was appointed to the government.

The county of Albemarle at this period contained about fourteen hundred taxable inhabitants; of whom one third were negroes or Indians, men or women slaves. The land was fertile; and the planters raised near eight hundred hogsheads of tobacco in the year. The trade of Albemarle, from its first settlement, was chiefly managed by little adventurers from New England. Those people bringing their goods to every man's door, by a few necessities, many trifles, and a plentiful supply of ardent spirits, had secured a perfect monopoly of the valuable staple of North Carolina. The planter had not much trouble in selling his crop; and he did not perceive that, by selling cheap

and buying dear, he lost half the produce of his farm. The proprietors had been striving to alter the course of that ruinous commerce; but the people refused to be instructed. Their enemies were more successful than their friends. The proprietors had other measures at heart, which they attempted, in vain, for several years. They wished to have settlements formed to the southward of Albemarle sound, and a communication by land with the southern colony. The governor of Albemarle and his council, regardless of their instructions, had prevented any settlements to the southward of the sound, because the Indian trade was chiefly in their own hands. That trade was very profitable; and they perceived, that it would be diverted into the hands of other people, whenever the settlements should be extended. Such was the motive by which they were induced to

betray their trust, to sacrifice the interest of their constituents, and check the growth of the province. It is not alleged, that any thing uncommon has been observed in the conduct of those men. They worshipped the common idol, private interest. An idol that, in most cases, is the arbiter of right and wrong.

Eastchurch, who was a man of firmness and activity, had gone to England, to solicit the affairs of the colony. In promoting him to the government, the proprietors seem to have made a prudent choice. But Miller was in London at the same time: he had gone to solicit redress for the wrong he had sustained, in being sent out of the colony for trial. Miller was appointed secretary of the government, and was made a member of the council, in the character of deputy

to one of the proprietors.* He was also made collector of the revenue by the commissioners of the customs. Nothing could be more imprudent than the sudden promotion of Miller, among people whom he regarded as his enemies. To send a man of strong passions, vested with considerable power, to collect money that was very scarce, among people who had injured him, was delivering the debtor into the hands of a merciless creditor. It was sending a wolf to guard the sheep. The governor and his secretary left England in the same vessel. They came by the West Indies, where Eastchurch was detained by private business; but Miller proceeded to Albemarle to rule the colony as president of

* Each of the proprietors had a deputy in the colony; and the governor's council was composed of those eight deputies.

the council, or deputy governor, until Eastchurch should arrive. Miller was not inattentive to his duty as collector of the revenue. Having no disposition to indulge the people, he exacted the utmost farthing. Before his arrival, the assembly had appointed a collector of the tobacco duty. That officer paid over a considerable amount that he had received; and Miller collected, from July to December, three hundred and twenty-seven thousand weight of tobacco, and two hundred and forty-two pounds sterling in cash; for duties were payable in cash or tobacco. He rows against wind and tide who attempts the reformation of bad habits: Miller attempted to destroy the New England monopoly and to establish a direct trade to the mother country. In the discharge of his duty, as president, he did some exceptional things, at a time when the correct discharge of his duty would not

have escaped censure. Great prudence was required among people chafed in their tempers, who watched for his faults or his mistakes; but Miller was not a prudent man: he scattered the sparks of discontent; and the New England traders were prepared to blow them into a flame. Currency was given to the most provoking falsehoods. It was said, and the story was believed, that the proprietors intended to raise the quit-rents from one halfpenny to two-pence, and then to six-pence the acre. This was a pestilent fiction; for it reached the feelings of every man who expected to have more land, and every man who had not obtained a patent for the land he occupied. At this period of general discontent, one Culpepper* arrived from South Carolina,

* This man had been surveyor general in South Carolina.

who fled from that colony, to escape the gibbet, for his attempts to cause the poor to plunder the rich. No man could be more noisy than Culpepper in professions of attachment to the constitution and rights of the people, though his true object was anarchy and civil commotions, that he might seize the opportunity of floating upon the wrecks of other men's property. While the public mind was chafed by such measures and men, a trader named Gillam arrived from New England, as usual, in the beginning of winter,* with an assortment of dry goods and groceries. He was immediately arrested, by order of the president, and required to give security, one thousand pounds sterling, that he would abide his trial on a charge of a breach of the revenue laws. Gillam, who had

* This was the beginning of the winter 1677.

reason to be alarmed, pretended that he would leave the country; and the people took arms in support of a smuggler. The president and six members of the council were seized and put into prison; for it was clear that a notorious offender could not be safe while there was any appearance of regular government. But there was another argument, not less conclusive, in favour of a revolution: there were three thousand pounds sterling in the treasury.* The insurgents, when they assumed the government, laid their hands upon the money in the royal treasury, appointed courts of justice, called a parliament, and exercised the powers of a regular administration, for the space of two years. In the mean time Culpepper, who had been the very life of the insurrection, discharged the profitable duty

* See Proofs and Explanations G. and G. g.

of collector of the customs. A manifesto published by the rioters, on that occasion, is a humiliating specimen of the weak and flimsy arguments that may be sufficient to induce the multitude to support a dangerous insurrection.* We lament the credulity of our fellow citizens, when we observe instances of this kind, in which harmless undesigning men are made the tools of faction, and are persuaded to risk their lives in supporting the private and personal views of some idle, worthless adventurer. When Eastchurch arrived, the next year after the riot, though he had not offended the people, he was not received as governor. The empty gratification of power, and the solid fruits of plunder, were not easily surrendered by the factious leaders of the people. Eastchurch applied to the

* See Proofs and Explanations H.

governor of Virginia for assistance to restore the government; but he died of a fever before the troops could be raised. The insurgents, who now discovered that serious correction might be expected, sent Culpepper and another of their leaders to England with a promise of submission to the proper authority; but they required, as an excuse for the late revolt, that Miller should be punished. But Miller himself demanded justice against the insurgents; for he had lately arrived in London, having escaped, with the other deputies, from confinement. Culpepper was arrested and tried for high treason; but he was acquitted upon his plea that the late disturbance among the planters could only be considered as a riot. Perhaps the circumstance of his being improperly brought to trial, out of his country, had more weight with the jury.

It may appear somewhat strange that the subjects in Carolina should have revolted on the very next year after the general revolt, called Bacon's rebellion, had been suppressed in Virginia. It would not be alleged that the Carolinians had been tempted to rebel, by the impunity of the Virginia insurgents; for we have seen that sir William Berkley, in cutting off the delinquents, was not much restrained by the milk of humanity.* But the object of revolt in Carolina was very different from what it had been in Virginia, and it was pursued with less violence.

* See Proofs and Explanations E.

CHAPTER V.

THE INCREASE OF THE COLONY, UNDER A
SUCCESSION OF GOVERNORS, IS RETARD-
ED BY MALADMINISTRATION AND CIVIL
COMMOTIONS.

THE lords proprietors had now to determine whether they should employ force, and teach the insurgents to respect the laws, or accept a nominal submission upon their own terms. They adopted the latter plan; for they believed, or affected to believe, the promises of rioters and robbers. Hence it was that the colony lingered for many years under a painful and wasting hectic, that was cherished by their weak, inergetic measures. This palpable instance of indolence or imbecillity gave countenance

and spring to future insults and disorders, whereby the colony was long detained in a state of minority.

A governor was then required whose address should make him popular, whose wisdom should discover the best measures, whose justice should reward the deserving, and whose example should induce men to observe the laws. We shall presently discover how well the proprietors succeeded in their choice. Lord Clarendon had lately sold his eighth of the colony to Seth Sothel, a man who was perfectly disengaged from business; and it was conceived that one of the proprietors, in the character of governor, would be greatly superior to any of his predecessors, because he had a personal interest in the growth of the colony. Sothel was appointed governor; and the administration was committed to John Harvey, as president of the council,

until Sothel should arrive; but the public sufferings were not relieved by that measure. It was known that Harvey could not be long in power, therefore his promises and threats were equally disregarded. Sothel was captured by the Algerines, on his passage to Carolina. And the government of Albemarle, in the meantime, was committed to John Jenkins, a man of respectable talents. As some of the first settlers held their lands under grants issued in Virginia, before Carolina became a province, those people were then gratified by new grants, that were issued, according to late instructions from the proprietors.* An act of oblivion passed in favour of the late rioters, except that the duties due the king were to be paid, and his collector indemnified. The proprietors gave ex-

* The Instructions were dated 5th February 1679.

cellent advice to the governor, to be communicated to the people. But rioters are not governed by reason: a course of idleness and rapine had produced inveterate habits; and idle habits are seldom cured, except by external force or extreme indigence. The restoration of plunder was a hard condition of peace. The rioters had never been guided by justice: they were the strongest party; and they proceeded against their opponents by fines and imprisonment; so that many people fled to Virginia to shun persecution.

While the colony was labouring under this general calamity, a dawn of hope cheered the inhabitants, by the arrival of governor Sothel, who sustained also the respectable rank of proprietor. He had been instructed to expel from his council those who were concerned in the late disorders; to establish a court of

the most impartial inhabitants, for redressing the wrongs of those who had suffered by violence, and to assist the officers in collecting the revenue. It cannot indeed be alleged, of this unfortunate colony, that they exchanged king Log for a Stork. They had long been suffering under a scourge of their own making; but they had now to suffer a variety of penance under a new master. The annals of human depravity are stained with the gloomy and dark characters of treacherous confidants, corrupt judges, and rapacious governors; but the name of Sothel has a prominent claim to notice in that long and hideous catalogue; for he was among the foremost in the race of infamy. We search in vain for the time or means by which he acquired a thorough contempt of justice. Did he conceive that man should be a wolf to man, because he had seen tyranny in its completest form, while he lived among the Alge-

rines? Or did he think, with the Spartans,* that men could be taught by fraud and rapine how to set a proper value upon justice and good laws? During the space of six years, in which he misruled the inhabitants of North Carolina, the dark shades of his character were not relieved by a single ray of virtue. Despising instructions, and destitute of principle, his sole object was plunder and property. In that pursuit, his avarice could not be satiated. For the sake of acquiring fees, as governor or proprietor, he disputed the best titles

* The Spartans trained their children in the love of temperance, by exposing drunken slaves to their view. We have frequently to lament that young gentlemen are not universally taught to despise the base and ridiculous habit of profane swearing, when they observe that the most abandoned and the most ignorant of the human species are most in the habit of embellishing their noisy nonsense with the livery lace of oaths and curses.

and vexed the fairest traders. For a handsome bribe he would suffer felons to escape; and he would distress the innocent for a smaller sum. Justice and injustice were alike to him: they were both at market; and they were both to be purchased with money. The patience of the inhabitants was at length exhausted by his tyranny, and they seized him with the purpose of sending him to England; but he prayed that he might be tried by the next assembly. He was tried according to his request; and the assembly determined that he should immediately resign the government, and that he should depart the country within twelve months.

Was it to be expected that Sothel would ever be found again at the head of any government? He retired to South Carolina, where his vices, like those of Culpepper, recommended him to public

notice. There was a faction in that colony, who quarrelled with Colleton their governor, because he attempted to restrain some disorderly practices. Colleton was set aside from the government; and Sothel, because he was a proprietor, or because he had been active in promoting discord, was made governor in his place. Within two years those licentious people were taught, by his iron rod, the salutary lessons of repentance and reformation.*

* He was removed in the year 1692.

Weak and wicked as the colonial governors were, in many instances, we can hardly pass the appointment of Sothel to the general account of court favour or inattention. Sothel believed that a distant colony might be plundered with impunity; for the late incidents in Carolina had given too much countenance to that supposition; and there is reason to believe that he purchased lord Clarendon's share of the province, with the hope of making a fortune. A proprietor could hardly be refused the government. As he entered extensively into the Indian

The proprietors, weary and sick of the unalterable rule, by which they had not been able to govern the colonies—a rule that had caused much discontent—resolved that “as the people have declared they would rather be governed by the powers granted by the charter, without regard to the fundamental constitutions, it will be for their quiet and the protection of the well-disposed to grant their request.”* It was unfortunate that the identity of the instrument, which was designed to be the fundamental constitutions or magna charta of Carolina, should have been disputed. The lords proprietors in July 1669 imprudently transmitted a rough sketch of what was in con-

trade, among other means of acquiring property, he was in the direct way to obtain his object. He died in North Carolina in the year 1694 without issue.

* April 1693.

templation; but the perfect constitutions were signed by them in March 1670. The first, being more favourable to the people, were accepted; but the latter were soon denied to be authentic, and were rejected. This contributed to numerous disputes and to the final abolition of that curious system, at the end of twenty-three years.

The baneful effects of rapine, anarchy, and idleness, may be inferred, from the decrease of subjects in North Carolina. At a general court that was held the twenty-eighth of November 1694, the list of taxables did not exceed seven hundred and eighty seven. This is little more than half the number that was in the colony at the beginning of Culpeper's insurrection.* By a more stable

* See Proofs and Explanations I.

government, the colony, in a few years, resumed its former growth. Philip Ludwell, the governor, according to his instructions, desired all persons, who had suffered any wrongs under the government of Sothel, to make application to him, and he would do them justice. The frauds that Sothel had committed, in his private capacity, were to be redressed by other means; and it appears, by the numerous suits that were brought against his executors, and by the evidence examined in court, that his private* and his public character were in perfect unison. Many recoveries were had against his estate; but the proprietors, who sued for rents that he had received, to a considerable amount, were nonsuited, because they were tenants in common.†

* See Proofs and Explanations K.

† Tenants in common were afterwards subjected to reciprocal

Ludwell continued but a short time in the colony;* and he was succeeded in the administration by Thomas Harvey as deputy governor. The conduct of that officer was mild and prudent; but he wanted that strength of judgment and weight of character, which are necessary to removing grievances, and quelling a licentious spirit, such as then disturbed the peace of both Carolinas.

It is difficult to determine in which of the colonies, riot and disorder first appeared; but folly is infectious. However we may value ourselves upon our intellectual powers, it is not to be denied, that in many cases we are guided by passion and not by reason: by the

ciprocal actions of account by a statute of fourth of queen Ann.

* He was four years governor; but he resided the greater part of that time in Virginia.

fashion of the times, and not by moral sentiment. Is there a custom so foolish, so useless, or so ridiculous, that it may not be admired and become the rage among civilized nations? It was to little purpose that plebeians were restrained, by an act of parliament, in the time of Edward the Fourth, from disfiguring their shoes or boots, by a bowsprit toe, more than two inches long. Men of fortune cannot expect the monopoly of folly. The peasant will tread upon the courtier's heels. It is greatly to be wished that follies alone were under the influence of fashion; our morals also, in too many cases, are under its direction. Rioting, profanity, drunkenness, perjury, seduction, and robbery, in different ages, have been countenanced and promoted by this blind and brainless tyrant. It is to be lamented that fashion does not, on some occasions, lend her assistance to virtue; but we observe that one pro-

fligate libertine has more influence upon the manners of society than the precepts and example of many virtuous citizens. Aristophanes, the infidel and comedian, had infinitely more success in corrupting the citizens of Athens, than Socrates and all his disciples in reforming them.

“ *Probitas laudatur et alget.* ”

The inhabitants of North and South Carolina had been governed, for several years, by the same laws; the interest of those colonies was nearly the same; and they continued to be under the same influence and superintendence after they began to make laws for themselves. In such a case, we are not surprised, that complaints in one of the colonies were quickly followed by similar complaints in the other; nor that riots, mobs, and insurrections, in either of the governments, should have given the

tone to similar disorders in the sister colony.

We have noted that South Carolina was governed a few years by sir John Yeamans. That colony was chiefly composed of puritans and cavaliers, who had migrated from England during the civil commotions: men who were perfect antipodes to one another in all their ideas of government, civil or religious; but governor Yeamans was a zealous cavalier; and the council, by his direction, was chiefly composed of high churchmen. Sir John Yeamans was succeeded in the government by Joseph West, who was a moderate and prudent man; but his council, being cavaliers, wished to establish a high-toned prerogative government. West was succeeded by Morton, who in a short time gave place to Colleton. During the administration of that gentleman, the high church party

had nearly destroyed the government. They opposed every measure that was recommended by the first magistrate; they refused to make any salutary laws, and despised the laws already made. That their contempt of government might be placed in the strongest light, they caused a bill to pass in the house of assembly for disabling Mr. Colleton from holding any office in the colony.* At this period it was that Sothel, from North Carolina, assumed the government.

Smith, the legal successor of Colleton, was equally incapable of reducing those disorderly people to the obedience of the laws. The spirit of envy, hatred and discord pervaded the colony. The French huguenots, who had settled in the pro-

* In the year 1690.

vince, were treated in the most inhospitable manner. Those people, being aliens, and incapable of holding lands, were refused the benefit of naturalization; their marriages, by ministers not ordained by bishops, were deemed illegal, and their children treated as bastards. The leading object of the faction was to deprive all dissenters, from the English church, of the rights of suffrage; and to make them perfect blanks in society. Governor Smith, being wearied by fruitless attempts to satisfy the discontented, quiet the turbulent, or remove pretended grievances, asked leave to retire from the helm. The proprietors had long been acquainted with the disorders that prevailed in North Carolina; and the disorders in South Carolina were cherished, if possible, by a more dangerous spirit; for the factious and turbulent were covering their vices by the cloak of religion. It was admitted

that serious and powerful measures must be adopted to correct a disease by which the whole body was afflicted. Governor Smith had represented to the proprietors, that "the country could not be settled unless one of themselves should be sent out, with full powers to heal grievances." Their first choice of a governor, for this purpose, fell upon lord Ashly. It was presumed that his pleasing manners, high rank, and respectable talents, might be effectual in reducing those colonies to the obedience of the laws. Lord Ashly alleged, that the state of his private affairs did not permit him to leave the kingdom; whereupon John Archdale, another of the proprietors, a man of great prudence, sagacity and command of temper, was appointed governor of Carolina. He was vested with authority so great and extensive, that the proprietors thought fit to have it recorded, in his commission, that such powers were not to be claimed,

as a precedent, by future governors. He arrived first in South Carolina,* where he formed a new council of moderate men; and in a short time, by remitting some arrears of rent,† and by other conciliating measures, he prevailed so far in quieting the most turbulent spirits, that he ventured to call a meeting of the general assembly. The address of the representatives of the people to the lords proprietors, at the rising of the assembly, is a proof, if any thing can be inferred from addresses, that they found themselves happy in their governor.‡

Archdale was one of the people who are called quakers; and we discover

* August 17th, 1695.

† He remitted three years' rent to such as held their lands by grants, and four years' rent to such as held them only by a survey.

‡ See Proofs and Explanations, K k.

marks of philanthropy in the course of his administration, that were in perfect agreement with his public profession. Averse as he was to military operations, and the shedding of blood, he believed that a small colony, surrounded by savage and hostile Indians, should hold themselves in a state of constant defence. With this view he promoted a militia law, which, in the spirit of toleration, granted exemption to men who were restrained by religious principles from bearing arms.* However prudent and necessary it was to be capable of repelling injuries, the governor believed, that peace was more to be desired than success in war. For this reason, the whole of his conduct towards the Indians was influenced by justice and kindness. The Yammassee Indians, who lived to the

* See Proofs and Explanations, K k 2.

southward of Charleston, took some Spanish Indians prisoners, whom they offered to sell as slaves, according to the fashion of the times. But the Yammassee Indians were under the protection of the English colony. The governor sent for the chief of that tribe, and gave him a letter to the governor of Saint Augustine, with orders to deliver that letter and the prisoners to the Spanish governor. The liberation of those prisoners made a favourable impression upon all the neighbouring Indians, and was of great use to the colony, by extending the Indian trade.

There was at that period a space of near three hundred miles between the North and South Carolina settlements. The Indians were numerous and powerful about Pamlico,* Neus, and Trent

* The lower part of Taw river was called Pamlico.

rivers; and the Indians, who lived near Cape Fear, were not improved in civilization by the intercourse they formerly had with the English colonies in that vicinity; for the settlement was deserted a second time. Whenever a vessel was cast away upon the Cape, a disaster that was frequent in those days, the Indians destroyed the unfortunate passengers with unrelenting cruelty. It happened that some Indians, who lived to the northward of Charleston, making war upon the Cape Fear Indians, took some of them prisoners, and sold them for slaves. The Cape Fear Indians complained of that misfortune to an English trader, and were advised to put themselves under the protection of government; in which case, no other Indians as he alleged, would venture to insult them. They applied to governor Archdale, in consequence of that advice; and he promised them pro-

tection, upon the condition that they should never insult any people who might be cast on shore near the Cape. They agreed to the terms; and within a few weeks, they gave their assistance to fifty adventurers from New England, who were shipwrecked on Cape Fear, in their way to Charleston.

Governor Archdale, upon his arrival in North Carolina, had less trouble in restoring peace and good order than he experienced in the southern government. Factious spirits were no longer countenanced by the bad example of a sister colony; and a considerable part of the inhabitants were of the people called quakers, with whom the governor had personal influence. Although he spent more of his time in South Carolina (for he had more to do in that colony) his attachment to North Carolina was obvious. He purchased lands in Albemarle,

and one of his daughters married in Pasquetank; where some of his descendants are living at this day.

Archdale had not retired many years from Carolina, when the spirit of discord and persecution revived in the southern colony. The high church party, during the administration of sir Nathaniel Johnson, by disputing elections and many dishonest measures, obtained a majority of one vote in the house of assembly; upon which they passed a law to disable dissenters from becoming members of the assembly, and another law for establishing the church of England. When those laws were transmitted to England, they were ratified by the proprietors, notwithstanding the zealous opposition of Mr. Archdale. But the dissenters carried their remonstrance to the house of lords; and that right honourable body were pleased to address

her majesty, queen Ann, praying that she would cause the laws to be repealed, as being made in direct violation of the chartered rights of the subject. They advised her also to cause proceedings to be had, by quo warranto, against the proprietors' charter. The laws were repealed by the proprietors, at her majesty's command; but other steps were not taken at that time against the charter.

Thomas Harvey, in the character of deputy governor, once more discharged the duties of that office, when Archdale left the colony. Upon the death of Harvey, in the year 1699, the administration was committed to Henderson Walker, who was chosen president of the council. He was a respectable lawyer, and had been some years a judge in the supreme court.

Robert Daniel, a landgrave, was made president of the council in the year 1703, upon the death of Walker, and was succeeded in the administration by Thomas Cary, who was deputy governor. The number of inhabitants had increased greatly by peace and good order for the space of ten or twelve years. Settlements were formed on the waters of Neus and Taw* rivers. Bath county was also set off to the southward.

The first plantations were formed upon Pamlico river in the year 1698; and there is reason to believe that the settlement of that district was not a little forwarded by the previous calamities of the Indian natives. Although the northern part of

* Taw river, in the Indian language, signifies the river of health. This word, like most other Indian names, is corrupted. It is now called Tar river. Tarhunta is called Nahunty; and Cotechna is Contentny.

the colony had not suffered, at this time, by a general Indian war; there had ever been a want of friendship and confidence between the white people and the Indians, who lived upon the waters of Taw river, Neus, and Trent. The Pamlico Indians were a numerous tribe; and the Caronine Indians were distinguished by their barbarity. But the Pamlico Indians were nearly destroyed, in the year 1696, by a pestilential fever, that desolated their towns; and the Caronine Indians, about the same time, were humbled and greatly reduced by the arms of a more powerful nation. The colonists embraced that opportunity of forming settlements to the southward.

The northern government, for many years, consisted of Albemarle county alone; for which there was a great seal, and all the different officers that are necessary in a province. It was originally

called by the lords proprietors, "our county of Albemarle in Carolina;" but in process of time, about the beginning of the eighteenth century, it was called "The colony of North Carolina." The governor in his commission was styled "governor, captain general, admiral, and commander in chief, of that part of our province of Carolina that lies northeast of Cape Fear."* In some of the first commissions, the government was described by "that part of Carolina which extends from Virginia to Pamlico river and five miles to the southward." The assembly in their acts called it the province of North Carolina. Although the county of Albemarle consisted, for many years, of four precincts that lay on the north side of the sound; other precincts were

* In the year 1712 governor Hyde in his commission is called the governor of North Carolina.

added, as the population increased. From the year 1738, the precincts were called counties; and the counties of Albemarle and Bath were no longer known. While money was scarce in the colony, it became necessary, in many cases, to receive payment of quit-rents and other debts in such articles of country produce, as were marketable and easily transported. The price of those several articles was fixed by acts of the assembly; at which they were a legal tender, except in cases where a special agreement had been made. When judgment was obtained in court, for damages to a certain amount, the entry was usually made in the docket with the following addition, "payable in deer skins, hides, tallow, or small furs, at country price." The proprietors had stores in the several precincts for the reception of country produce, which was paid them for lands or rents. This produce was shipped by

their agents, for the West Indies, or sold at other markets. Such was the difficulty of collecting money or produce, in the disordered state of the colony, that assignments were occasionally made of lands or quit-rents to public officers, to secure payment for their services.*

While the fundamental constitutions retained the shadow of force, the legislative body was called a parliament; from the year 1693, it was called an assembly. We can readily perceive that the laws, made by the parliaments or the assemblies, must have been unknown in many cases, or badly understood by the subject; for they were not printed. Every new law was read in hearing of the people, at the next court after it had

* The rent of land on Salmon creek was assigned by law to governor Ludwell for the payment of his salary.

been made. In consequence of such publication, the laws were supposed to be known. At a single session of the biennial assembly, fifty laws were made. The subject must have had a good memory, who could retain all those laws, although they were "openly read" at the next session of the general court. The ruling powers in England seem to have regarded knowledge as a dangerous plant in a distant province; else they would not have instructed lord Effingham, the governor of Virginia, "not to suffer the use of a printing press on any occasion whatever." It was a strange cause of gratitude, for which sir William Berkeley gave thanks to Heaven, that "there was not a printing office in any of the southern provinces." If ignorance was desirable, it should have prevented riots and rebellions in Virginia and the southern colonies. After the people had received better instruction, they became more ob-

servant of the laws. The general assemblies and the general courts, as well as the precinct courts, sat in private houses for many years; nor was there a courthouse in North Carolina before the year 1722. Rice and tar, which are primary articles in the staple of Carolina, were not contemplated by the first adventurers. They were introduced or promoted by incidents not foreseen. A ship, from Madagascar for London, chanced to touch at the bar below Charleston; and the captain presented a few quarts of seed rice to the governor, who made him a visit. Naval stores had been obtained by the English nation from the Baltic; and the tar trade was chiefly monopolized by Swedish merchants. While England was contending with France for the superiority at sea, those merchants not only demanded a very unreasonable price for their tar; but they claimed the exclusive privilege of transporting it to England, at a heavy

freight. The nation was induced by those extortions to encourage the preparation of tar in the colonies. This was effected in the third of queen Ann (1704) by a considerable bounty.

The first settlers were of different religious denominations; and their zeal, for many years, was not sufficient to build churches or support public teachers. The majority, being dissenters, could not expect any support from government. Forty years had elapsed before the inhabitants of that colony began to persecute one another in favour of an established church, and before they began to display their zeal for christianity, by giving proofs that they had not a christian temper. In the year 1702, the assembly passed a law, by which thirty pounds currency per annum were raised, in each precinct towards the support of a minister. In the following year the first

episcopal minister arrived: he was chiefly supported at the expense of lord Weymouth. In the year 1705, the first church was built in Chowan precinct; and a larger church was built the following year in Perquimons. Two episcopal ministers arrived about this time. The province was afterwards divided by law into parishes, each precinct in general forming one parish. The people on Neus, and all the southern settlers, were then included in Craven parish. A magistrate was authorized, by the same law, to join people in marriage, provided there was not a minister in the parish, otherwise he was subject to a fine of five pounds, for performing that service. Protestant dissenters were allowed, by another act, to *worship in public*, subject in the mean time to such rules, regulations and restrictions as were contained in the several acts of parliament in England. Quakers were permitted by law to affirm

instead of swearing; but they could not, by virtue of such affirmation, give evidence in any criminal case, or serve on a jury, or hold an office of profit or trust. These were the first departures, in the northern government, from the original engagement of the proprietors, on the subject of religion; but the spirit of intolerance grew stronger as the province increased; for the constant influence of patronage, and numerous emigrations from Virginia, had given the episcopals a majority in the legislature.

From the time in which the first settlements were made on Pasquetank, the conduct of the Indians had been friendly and inoffensive, when compared with their treatment of the first colonists, who attempted to form a settlement near the end of the sixteenth century. There had been some bickerings between the

white men and the Indians. There had been complaints on both sides; but there had not been any general alarm that could restrain the progress of settling, nor any dispute that might be called war. The time was now at hand, in which the colony was destined to suffer by a double calamity, civil insurrection and an Indian war.

Thomas Cary, who was deputy governor, had also been collector of the proprietary quit-rents. As he had neglected to settle his accounts, the proprietors, by an instrument of writing, which they sent by John Porter, one of their deputies, removed him from the several offices of deputy governor and receiver of rents. They instructed the council, at the same time, to choose a president by whom the government should be administered. William Glover was chosen president at a meeting of the deputies, seven

members being present.* Cary sat in council for a considerable time, and submitted to the administration of Glover; but listening afterwards to bad advice, and forming a wrong estimate of his partisans, he attempted to resume the government by an armed force. In the midst of that dispute, Edward Hyde arrived, with the commission of lieutenant governor;† but Cary had commenced hostilities, and resolved to persevere. He alleged certain grievances as the cause of his resistance. Governor Hyde promised to redress the grievances of which he complained; but he would not disarm; for his object, as it commonly happens with insurgents, was very different from what he pretended. Spots-

* This was in May 1709. The deputies present were Glover, Cary, Porter, Forster, Gale, Lawson, and Mosely. The eighth deputy, Pollock, alone was absent.

† He arrived 10th August 1710.

wood, the governor of Virginia, sent a confidential messenger to confer with Cary, and offer his mediation to accommodate differences, or at least to suspend all acts of violence, until the proprietors should signify their pleasure respecting the laws by which he pretended to be aggrieved.* But Cary was deaf to such advice; for he expected to get possession of the government. He was deluded by the successful robbery of Culpepper. He had a brigantine and a smaller vessel, in military array, in the bay of Edenton: the governor was in town; and Cary expected to carry him off. But he deceived himself, greatly, in expecting the success of Culpepper, without presenting his faction with similar temptations. There seldom has been a want of idle, indigent and dissolute men,

* See Proofs and Explanations L.

in any country, ready to assist in a riot or revolt; but the activity of those men is usually proportioned to their hopes of pay or plunder. Culpepper could present a full treasury and a considerable revenue to the avarice of his copatriots: they expected to share in the spoil; but Cary's chief object was to retain the treasure that was already in his hands. The object of his revolt did not reach the general passion of the multitude: they would not risk their lives to gratify his ambition, or mend his fortune. He made an attempt upon Edenton; but he was repulsed without the loss of much blood. Finding himself too weak for offensive operations, he retired to Pamlico, near Bath, and began to fortify the house of one Roach, an English factor. That man had lately arrived in the province, and was courting popularity, in the usual mode, by opposing the government. He had a good supply of arms and ammuni-

tion in his store, which he had imported for the Indian trade; and a competent supply of rum. By his assistance Cary was enabled to arm his associates; and, while they were protected by a stockade, they defied the officers of government, and suspended the operations of justice.*

Though the citizens, in general, did not choose to commit themselves, by supporting Cary in his rebellion; few of them were disposed to lend their assistance in bringing him to justice. They looked on with a criminal indifference. A strange distinction is frequently made between crimes; the order of nature being reversed, and the smaller crime held in greatest contempt. Such are the effects of fashion, by which all laws, human and divine, have been suspended. A rioter

* See Proofs and Explanations M.

may insult the government and violate the laws; a smuggler may perjure himself and defraud the treasury; but in many cases they proceed with impunity, because it has not been the fashion to restrain villains of this or the other class. But small thieves discover that every man is their enemy. When citizens refuse to discharge their social obligations, in compliance with a vitious custom, they should not complain if a standing army is employed. When their liberties are invaded, by such an army, they must blame themselves.

It was fortunate for North Carolina, that there chanced to be some regular troops in Virginia. The governor of that province, upon the application of governor Hyde, sent a party of marines from the guard-ships that lay in Hampton road. Cary's partisans dispersed themselves as the marines approached. Many

of them were taken up by the civil officers and prosecuted. Cary attempted to elude justice, by affecting to brave it. He went to Virginia with Truit, one of his associates, under the pretence of taking his passage to England; but governor Spotswood, not believing that he had any design to visit the proprietors, caused them both to be apprehended and sent over in the *Reserve* and *Tiger* ships of war.*

Hyde, who was appointed governor the next year, issued a proclamation, according to his instructions, granting full pardon to all the late insurgents, except Thomas Cary,† John Porter,

* See Proofs and Explanations N.

† Although Cary was not tried in England for his rebellion, he was not relieved from the apprehension of trial and punishment, in Carolina, for many years. He feared that in case of conviction his estate would be for-

and three other persons whom he named.

feited, therefore he caused lands to be patented in the name of his infant son.

Anno 1703, Albemarle sound was frozen over. Before the year 1708 only two persons had been executed for capital offences: viz. A Turk for murder and an old woman on the suspicion of witchcraft.

CHAPTER VI.

A COLONY OF PALATINES ARRIVE—A GENERAL INDIAN WAR.

THE population of North Carolina was increased, near the beginning of the eighteenth century, by two small colonies of foreign protestants, French and Germans. A colony of French huguenots, encouraged by king William, in the year 1690, had come to America and seated themselves at the Manakin town, in Virginia, above the falls of James's river. Not well pleased with the lands they first occupied, and the greater part of Carolina being unappropriated, they removed to the southward, and seated themselves upon Trent river, with Rybourg their pastor.* They were sober,

† In the year 1707.

frugal, industrious planters, and in a short time became independent citizens.

The German colony was from Heidelberg, and its vicinity, on the Rhine. Those unfortunate people had suffered persecution, because they could not change their religious opinions, from time to time, so as to be in constant agreement with the ruling prince. The elector palatine, Frederic the Second, embraced the Lutheran faith. Frederic the Third became a Calvinist. Lodovic the Fifth restored the Lutheran church; his son and successor became a Calvinist. That prince was succeeded in the government by a Catholic family, who oppressed the protestants.

Those people had also the misfortune to live between powerful rivals, who were often at war. In the year 1622, count Tilly, the imperial general, took the city of Heidelberg and put five hundred of

the inhabitants to the sword. In the year 1634, the city was taken by Lewis the Fourteenth, and many of the inhabitants destroyed. In the year 1688, it was taken a second time by the French, who laid the inhabitants under a heavy contribution; after which, at the approach of the imperial army, they blew up the citadel and reduced the city to ashes. The city, being rebuilt, was taken again by a French army, who committed it to the flames in the year 1693. The inhabitants, men, women, and children, about fifteen thousand, stripped of their property, were turned into the fields by night. Upon the retreat of the French army, the inhabitants were again prevailed upon to rebuild the city, being promised liberty of conscience, and exemption from taxes for thirty years. After some time the elector, who seems to have believed that promises made to heretics should not be

observed, began to persecute his protestant subjects. The French army having again crossed the Rhine, the distressed Palatines, persecuted by their prince and plundered by a foreign enemy, fled to England, about six thousand of them, for protection, in consequence of encouragement they had received from queen Ann.*

Having pitched their tents at a small distance from London, they were supported at the public expense until they could be shipped off for Ireland or the colonies. Christopher de Graffenried and Lewis Michell were attempting, about this time, to mend their fortunes by purchasing lands in some of the British colonies. Michell had been several years in America and had obtained some know-

* By her proclamation 1708.

ledge of the country.* The lords proprietors of Carolina had agreed with those gentlemen† that ten thousand acres of land should be laid off for them in one body between Neus and Cape Fear, they paying twenty shillings for every hundred acres and six-pence the yearly quit-rent. The surveyor general was also instructed to lay off an additional tract of one hundred thousand acres, which was to be reserved for them twelve years. One of them was to be gratified by a title when he should pay the usual price for five thousand acres of land. De Graf-fenried made the purchase and was crea-

* This Michell was originally employed, by the Canton of Bern in Switzerland, to search for a large tract of vacant land on the frontiers of Pennsylvania, Virginia, or Carolina, to which they might send a colony. He spent some years in exploring the country. There was no scarcity of mountainous land, such as those people are accustomed to; but they desisted from the project.

† April 1709.

ted a baron. This company, having secured the lands, wished to make them productive by settling them with tenants; and the poor Palatines presented themselves as an object of speculation. Commissioners had been appointed by the queen to collect and receive money for the use of the Palatines, and to provide them with settlements. Graffenried and Michell covenanted with those commissioners, that they would transport, to North Carolina, six hundred and fifty of the Palatines; about one hundred families; that they would lay off for each family two hundred and fifty acres of land, to be held five years without cost, and from that period at the annual rent of two-pence currency per acre. The Palatines were to be supplied twelve months, with necessary provisions, to be paid for at the end of the following year; and they were to be furnished, gratis, with tools sufficient for

building houses. It was also stipulated that, within four months from their arrival, they should be provided with a certain number of cows, hogs, and sheep, which were to be paid for, at the end of seven years; and half the remaining issue was to be returned in lieu of interest.

The commissioners allowed five pounds sterling per head, for transporting the Palatines; and those people, who had each of them, young and old, received twenty shillings of the charitable collections, made through the kingdom, lodged that money in the hands of Graffenried and Michell, to be returned them in Carolina.* The Palatines arrived, in December 1709, at the confluence of the rivers Neus and Trent, where they erected temporary shelters until they could be

* See Proofs and Explanations O.

put in possession of their lands. The place on which they encamped was called New Bern, from Bern in Switzerland, where Graffenried was born. The Palatines had too much reason to complain of their trustees; for Graffenried, in whose name the lands were taken up, returned to Switzerland without giving them a title for their settlements. He mortgaged the lands to Thomas Pollock for eight hundred pounds sterling; and they passed to the heirs of that gentleman.* The Palatines, in the mean time, being industrious and living in a country where land was plenty and cheap, increased in number and acquired property. After many years, upon their petition to the king, they were in some measure indem-

* Pollock, by a letter to Graffenried, sixteenth February, 1716, offered to return him the land, fifteen thousand acres, if he would repay the money. See letter book.

nified, by a grant of land, ten thousand acres, free from quit-rents for ten years.

The Indians, who lived upon the coast in Carolina, were divided into small tribes without any powerful confederacy. Upon every section of the bank, there was a tribe; and there were other small tribes within the sound. Those Indians, having a plentiful supply of fish, depended less upon venison, bears' flesh and other wild game, than their brethren who lived further from the coast. This seems to have been one of the reasons why so much land was taken up and settlements formed, more than sixty years, before the first Indian war. Another reason, for the long continuance of peace, may be traced from the situation and temper of the first settlers: they were not under the protection of government; they came among the Indians as suppliants who asked favours, not as masters who claim-

ed rights. Their conduct was inoffensive as their language. They purchased the soil, paid the stipulated price, and shunned every cause of hostility. The conduct of their successors, for many years, was equally inoffensive. The Indians had once and again, by particular treaties, reserved for themselves a square of three or four miles, including their towns. The white people, by encroaching upon those reservations, had caused disputes; and other disputes, not less serious, had been excited by strong drink. Governor Daniel, in the year 1703, apprehending bad consequences from drunken affrays, stipulated with the Indian chiefs, in a solemn treaty, that "no rum should be sold to an Indian by any trader." By this regulation he expected to prevent frauds, disputes, and war. But the young Indians complained of the treaty as a restraint on their natural liberty. They claimed the privilege of destroying themselves;

they demanded and obtained the usual supply of rum. At the period to which I refer, we search in vain for the numerous Indian tribes, who lived near the coast in Carolina, when sir Walter Raleigh obtained his patent for that country. In the progress of one hundred and twenty years, they had vanished, from the consuming touch of ardent spirits, like snow beneath a vertical sun. The Chowanokes, who could bring three thousand bowmen into the field, were now reduced to fifteen men, who lived in a small town near the mouth of Bennet's creek. The Moratock Indians, a numerous tribe, had disappeared; and the Mangoacks, who numbered three thousand bowmen, were now reduced within the compass of a small village. Fifteen hundred volunteers, from the Indians who lived on the waters of Currituck, on the north side of Albemarle sound, had assembled at Dasamonquipo to assist at the projected massacre of

the little colony, upon Roanoke island; but all the tribes, to which those Indians belonged, were now reduced to forty-six fencible men. The Tuskarora Indians, who lived on the waters of Neus, Contentny and Taw rivers, were the only powerful nation with whom the white inhabitants of North Carolina, had any intercourse. They could muster twelve hundred fighting men.* They lived at a great distance from the old settlements, and had not suffered much by the use of strong drink; but they had not observed with indifference the advances lately made towards their country; nor had they observed, without jealousy and fear, the encroachments that were made upon the reserved lands of small insulated tribes, during the late period of anarchy and confusion. John Lawson, who had lived

* See Proofs and Explanations P.

some years near Bath, was generally known among the Indians. He had lately been appointed surveyor general; and in the discharge of his duty he excited the jealousy of those people; for he had marked off some of their lands. One tract of five thousand acres, and one of ten thousand acres, had lately been surveyed for Graffenried. The Indians, always suspicious, could not regard the advances of settlement, and the late surveys made on their lands in any other light than so many strokes at their independence. They had much reason to be dissatisfied with the approaches of the colonists; and their tempers were greatly soured by the frequent impositions of fraudulent traders. Lawson was the first who fell a sacrifice to their jealousy. Being a diligent officer, and anxious to serve the proprietors, he resolved to explore the lands upon the

river Neus.* For this purpose he took a small boat at New Bern, and accompanied by baron de Graffenried he proceeded up the river. In the evening of the first day they stopped at an Indian town, near the river, where they intended to lodge. As they were not kindly received by the Indians, they resolved to return to their boat; but they were detained by the Indians and roughly treated. Upon a solemn trial before a numerous assembly, the next day, they made a plausible excuse, for their journey into the Indian country, and were seemingly acquitted; but new complaints being made on the following day, especially against Lawson, sentence of death passed upon them both. Baron Graffenried had the good fortune to save his life by a claim of rank, or the difference of country. He

* Graffenried calls it "the New river," certainly by a mistake.

alleged that he was not of the English nation, like the other inhabitants of Carolina, but the king or chief of a small inoffensive tribe, who had lately settled at the mouth of Trent. Lawson was put to death; but Graffenried, from a regard to his rank, his nation, or his innocence, was suffered to escape.* There is no reason to believe that the Indians had contemplated a general war before Lawson fell into their hands; but having killed a public officer, and a respectable subject, they resolved to proceed; for a retreat was hardly practicable,

——— “ They were in blood,
Stept in so far.”

In that case, they formed the barbarous resolution of murdering, in one day, all the settlers to the southward of Albemarle sound. Graffenried was detained

* See Proofs and Explanations Q.

among them until they should have finished the bloody work. Having divided themselves into small parties, six or seven in a company, they entered the settlement upon the twenty-second of September, and put whole families to death.* One hundred and thirty persons fell, on that memorable day, by the hatchet. The Indians, to shun suspicion, did not come with their fire-arms: they trusted to their tomahawks; but the stratagem had not the desired effect; for it was not possible to strike every family at the same hour; and many of the settlers being in the woods or fields, the alarm in a short time became general, and people defended themselves in their houses. Graffenried in some manner secured his people by a treaty that he made with the Indians, while he was a

* The anniversary of the Indian massacre in 1711 was solemnized for many years, according to an act of assembly, as a day of fasting and prayer.

prisoner;* but the other inhabitants of Bath county, from that day, were in constant danger of being scalped by the Indians, or starved to death by hunger. North Carolina did not contain two thousand fencible men at the time of that massacre. The inhabitants in general had been disturbed, and many of them had fled to Virginia, during Cary's rebellion. In this weak and divided state of the colony, it became necessary to claim assistance from South Carolina. The legislature of that colony immediately granted an aid of four thousand pounds; and they detached colonel Barnwell with a small party of white men, and a considerable body of Indians, who were of the Cherokee, Creek, and Catawba, nations. The colonel, in different actions, killed fifty of the Cores, Bear River, Neus or Mattamuskeet Indians, and took two hundred

* See Proofs and Explanations Q.

women and children prisoners. He also killed about thirty of the Tuskarora Indians. A considerable body of those Indians, near six hundred, had inclosed themselves in a fort, at a small distance from Neus. The colonel, who was provided with two field pieces, made regular approaches to the fort. Michell, his engineer, one of the Swiss adventurers, had run a parallel within thirty-three feet of the palisades, and had prepared fagots to fill the intermediate space: the Indians, who had been principals in the late massacre, were chiefly in that fort, and must have surrendered at discretion in a few hours; but colonel Barnwell made peace with them while their affairs were in this critical situation, and suffered them to escape. In a few days, those very Indians renewed hostilities. A bad understanding had lately subsisted between governor Hyde and colonel Barnwell. The colonel wished to throw the odium of the Indian war

upon Hyde; for he was making interest to supplant him in the government. How many of our species are sacrificed to the ambition, the avarice, or malice, of contemptible individuals!

Upon the death of governor Hyde, the next year, Thomas Pollock was chosen president.* That gentleman had been twenty years the deputy of lord Carteret or his father, and was much esteemed for his integrity. During his administration, in a letter to the lords proprietors, he drew a full length portrait of the colony with dark colorings.

“The subject laboring under every calamity by which a vitious, ignorant and obstinate people can be punished; civil contentions, which have risen to the shedding of blood; general poverty; short

* Twelfth of September 1712.

croûps; a sickly season; and a dangerous Indian war. The people on Neus and Pamlico rivers are generally ruined, their houses and furniture burned, their whole stock of cattle, horses, and hogs, killed or carried off by the Indians, while the families were pent up in the forts. All the inhabitants, on the south and southwest of Chowan river, are secured in forts. Provisions for the army and the inhabitants, on Neus and Pamlico, are sent from Albemarle. The forces on those rivers under colonel Mitchell and colonel M'Kee, not above one hundred and forty. The Tuskarora Indians, numerous and well provided with arms and ammunition, expect assistance from the Five Nations or Senekas. Hence they are confident of success; while the subjects of North Carolina are dispirited, undisciplined, timorous, disobedient, and divided; they, who are in the service, ill provided with clothing and not able to buy."

Colonel Barnwell had returned to South Carolina, immediately after his imprudent or deceitful treaty; and the Indians having renewed the war, a second application was made to the government of South Carolina for assistance. Application was also made to the government of Virginia; and the legislature of that province, with some difficulty, were prevailed upon to grant one hundred and eighty pounds for purchasing duffils to clothe the North Carolina troops, and one thousand pounds to be employed in raising forces if necessary. They were not raised. The defence of Bath county, in the meanwhile, rested on the troops who are mentioned in the president's letter, and on twenty Yammassee Indians, commanded by colonel M'Kee, who, by their zeal and activity, were a terror to the hostile tribes. As it was not possible for those men to guard the settlement at all points, the Mattamuskeet and Core Indians killed,

or made prisoners during the winter, forty-three of the inhabitants of Roanoke island, Croatan or Alligator; for the Tuskarora Indians, the original aggressors, had persuaded four of the smaller tribes to join them. The governor of South Carolina was not tardy in sending the succors, that had been requested. Colonel Moore, an active young officer, whose father had lately been governor of that colony, arrived on the first of December, with forty white men and eight hundred Ashley Indians.

They marched to Albemarle sound, and continued there some weeks; for the necessary provisions had not been ready at Bath. About the twentieth of January, they took up their march for Taw river, where they were detained to the fourth of February by a deep snow. The Tuskarora Indians had fortified themselves to shun the Ashley Indians, who pressed them

hard in the woods. They took their position upon a plain, on the side of a creek, about one mile from Cotechney, and fifty miles from the mouth of that river. In order to secure themselves against artillery, they sunk square pits in the ground, about six feet deep. Those pits were covered with poles and separated from one another by a natural wall of earth. The whole was surrounded by palisades. There was also a proper supply of corn in the fort; but those people, who in other respects secured themselves with some degree of prudence, had not any water within the palisades. They trusted to a trench of communication with the adjacent brook. This oversight proved fatal to many of them, for colonel Moore stationed some of his troops on the other side of the brook, so as to rake the trench when the enemy came for water. There was but one passage by which the Indians might attempt to escape with any pros-

pect of success. In that direction the colonel built a small redoubt. As the Indians were well supplied with small arms, colonel Moore broke ground at a respectable distance from the fort, and advanced by regular approaches until he entered their works.* Eight hundred Indians of the Tuskarora tribe were taken prisoners. The Ashley Indians claimed them as the reward of their services; and six hundred of those people immediately returned to South Carolina, with the prisoners, to sell them for slaves. There were twenty-two white men killed during the siege and twenty-nine wounded. Thirty-six of the auxiliary Indians were killed and fifty wounded.

* This fort, called Naharuke, was taken the twenty-sixth of March 1713. The Indians immediately deserted another fort that they had finished. They were taught the folly of standing a siege.

After that decisive stroke, the Tuskarora Indians, of the eastern division, sued for peace, which was granted on terms that were very humiliating, viz.

1. The Tusks shall deliver twenty Indians who shall be named, who were the chief contrivers of the massacre, and who took Lawson and Graffenried.

2. They shall restore all their prisoners, also the horses, cattle, arms, and goods, they have taken from the inhabitants.

3. They shall pursue the Cotechnee and Mattamuskeet Indians as enemies.

4. They shall deliver two hostages for each of their towns.

King Blount's chief town was on the east side of Taw river, about twenty miles above Washington. He continued, from that period, faithfully attached to the colony. His people had entered, with some reluctance, into the war; for they were

better acquainted with the white people, than their brethren, who lived to the westward. During the following summer, king Blount brought in thirty scalps of the enemy Indians; but the greater part of the Tuskarora nation, unable to contend and unwilling to submit, removed to the northward, and joined the Seneka and other confederate tribes, on the frontiers of New York.* They constitute one of the tribes who are now called the Six Nations. From that time, hostilities were continued with little success, by the Cores and Mattamuskeet Indians. King Blount and his people vexed them exceedingly, by taking many of them prisoners. The fate of those people was the

* This migration of the Tuskarora Indians and other migrations of Indian tribes, that are well attested, do not accord with lord Kames's observation, that "Savages are remarkably attached to their native soil."

more degrading; for they were uniformly sold as slaves.†

Peace was made, in February 1715, with the Cores and other enemy Indians, who were permitted to live at Mattamuskeet, on the condition, that a commissioner should reside among them, to inspect their conduct.

North Carolina had not been three months at peace, before an Indian war broke out in the southern colony. Assistance was immediately requested; and colonel Moore was despatched by land, with fifty men to their relief. The Tuskarora Indians were to have settled between Neus and Taw rivers; but they conceived themselves in danger, after the southern Indians had commenced hostilities;

† See Proofs and Explanations Q q.

wherefore they obtained permission to settle on the north side of Roanoke river above Windsor; where the remains of that nation continued to live to the year 1803 on lands reserved for them.

The assembly found it necessary, during the Indian war, to issue eight thousand pounds in bills of credit;* and those bills were made payable in discharge of all debts that had been contracted for rated commodities. That law, which altered the nature of contracts, was soon observed to have injurious effects. The money depreciated; and the assembly in vain attempted to raise its value, by a petition to the proprietors, intreating them to receive that paper in payment for their lands.† The receivers of quit-

* June 1713.

† During the infant state of the colony, the proprietors sold their land at twenty shillings the hundred acres, and

rents and other proprietary dues, did not refuse country produce at the price fixed by law; but they would not receive paper currency, for it could not be remitted to England; nor would a single member of the assembly receive it, at the nominal value, for any article that could be remitted.

We have seen the inhabitants of North Carolina agitated by civil commotions, oppressed by their governors and assailed by a barbarous enemy; but the weight of those several calamities will be more correctly estimated by attending to the progress of population. The number of taxable inhabitants in the year 1676, little more than twelve years after the charter

six-pence quit-rent. They raised the price in the year 1694 to thirty shillings the hundred. And in the year 1711 they advanced the price to forty shillings the hundred, and one shilling quit-rent.

was granted, has been stated at fourteen hundred. Fifty-three years had now elapsed since the proprietary government was in operation; great additions should have been made in that time, by natural increase, beside the German and French colonies that have been mentioned, and the numerous adventurers, who arrived from the northern colonies, and from the mother country; but the whole number of taxable inhabitants in the year 1717 did not exceed two thousand.* This fact alone is a sufficient proof that the administration of government had been extremely bad. We formerly observed that Culpepper's insurrection, and the tyran-

* This could hardly imply thirteen hundred fencible inhabitants. For it is believed that one third of the taxables were slaves. And though free men, of sixteen years, were taxable, it does not follow that lads of sixteen years can endure the hardships of a campaign. It consists with the writer's observation, that a great proportion of those, in

ny of Sothel, had banished from the colony almost half of the inhabitants. The anarchy that was effected by Cary, and the subsequent Indian war, do not appear to have been less fatal to the state of population. People had fled from Carolina, in such numbers, during the war, that the governor issued a proclamation, for the purpose of preventing the general desertion of the colony. And the governor of Virginia, by his proclamation, ordered that all fugitives from Carolina, without a pass, should be apprehended and sent back. The temperature of the climate in Carolina was so inviting, the soil was so fertile, and the means of living so easy, that the inhabitants must have been very numerous, at the period to which we refer, if the government had

the southern states, who sunk under the fatigue of military service, during the revolution war, were young men under nineteen years of age.

been administered, with any degree of wisdom. The farmer was not constrained to make any provision for his cattle in the winter, for they found a sufficient supply in the woods; and flocks of wild cattle became the subjects of profitable game to the hunter. After settlements had been formed to the southward of Albemarle sound, the inhabitants of Bath county claimed, and were allowed by government, the exclusive privilege of killing wild cattle in that part of the country. We have seen the pestilential effects of bad officers; and it will be granted that in some cases, the lords proprietors were not to blame; for they had been deceived; but in other cases they showed a criminal indiscretion. They commissioned men of suspected or bad characters. It appears upon record, that in the year 1701, John Porter prosecuted Christopher Butler for calling him "a cheating rogue." Butler admitted the words charged in

the indictment, and justified. He was acquitted by the jury; and Porter was ordered to pay costs. After a few years, this very Porter was made deputy to one of the proprietors, and consequently a member of the council. His virtues were not improved by his rank; for he associated with Cary in his rebellion. The proprietors were not less unfortunate in their choice of measures than of men. The governors had a standing instruction, not to assent to any law, that was to continue in force more than two years. The object of this instruction was to prevent the possible continuance of a bad law; but the measure, in many cases, prevented the benefit of good laws. The governor, who knew in what manner the laws were estimated, frequently refused his assent to the renewal of a good law, unless he should receive a particular *douceur* for that service. The assembly, in some cases, objected to his terms; and the inhabitants

suffered by the indiscreet regulation. In a government that was long agitated by civil commotions, it is not to be supposed, that the morals of the inhabitants, in private life, were very correct.*

* March 1720. The grand jury presented thirty-six persons, viz. seven for drunkenness, eight for profane swearing, seven for breaking the sabbath, four for adultery, five for stealing or mismarking hogs, three for breaking the peace, and two for selling liquor without license.

PROOFS AND EXPLANATIONS:

A.

PAGE 7.

WHEN Harold Harfagus, in the ninth century, made himself master of all Norway, which had formerly been divided into many kingdoms, the Norwegian nobility, many of them, impatient of a superior fled to Iceland, Shetland and the Orkneys. Ingulf a nobleman, of some consideration, removed to Iceland in the year 879, with a small colony. That island was sufficiently known; for it had been visited by fishermen or sea rovers, who, for two or three hundred years, had covered the northern ocean. He found a wooden cross on the south shore, and a thick forest of birch trees, but no inhabitants.

In the year 982, Eric, the son of Torwald, whose father had fled from Norway, being himself obliged to flee from Iceland, settled a small colony in Greenland, which had lately been discovered. The name given to this cold region was seductive; and the colony increased considerably until the year 1348, when a great proportion of the inhabitants were cut off by a pestilential disease.

The present savage inhabitants of Greenland have a tradition concerning that colony, and retain part of their language.

In the year 1001, Biarm, the son of Herial a Norwegian Icclander, sailing for Greenland without a pilot, the wind blowing at north for some days, fell in with land to the westward that was flat and covered with trees; on which he did not land; for it did not answer the description of Greenland. After his return to Iceland, having described the flat country he had seen, Lief the son of Eric, who had discovered Greenland, sailed in quest of the land Biarm had discovered. He soon reached the coast, and running along it some days, he found a river which he entered. The river abounded in salmon, the air temperate, and the soil good. Here he discovered native grapes; whence he named the country Vinland. The adventurers erected houses and spent the winter among the natives, who were small inoffensive men. They had canoes fit for a single person, when he went a fishing. Some years after this discovery, Torsin a rich Icclander with his wife, five other women, and sixty sailors, much cattle, provisions, and implements of husbandry, formed a settlement in Vinland. The natives traded with them, bringing furs, sables and small white skins. Torsin returned home after three years, with a valuable cargo of furs and raisins. The fame of his riches induced other adventurers to visit the colony;

and the intercourse between that country and Greenland, Iceland or Norway seems to have continued for many years.

In the year 1121, Eric, a bishop of Greenland, visited the colony, probably with little success; and since that time, the civilized inhabitants of Greenland being lost, those of Iceland greatly reduced, and the northern nations greatly weakened by pestilence and internal feuds, all remembrance of Vinland is obliterated. It seems to have been the Labrador coast.

Mallet's Northern Antiq. Tarfei. Greenl. Ant.

N. B. The small illiterate inhabitants of Vinland, Greenland, and Iceland, who were discovered there, in the ninth and tenth centuries, had doubtless passed over from the old continent, in the same manner that we have seen the Norwegians pass; but the memory of those events is lost by the want of letters.

B.

PAGE 8.

It can hardly be questioned that the Indians of South America are descended from a class of the Hindoos, in the southern parts of Asia. The remarkable difference between the Indians of Mexico and those of Peru, when first discovered by the Spaniards, naturally induced an opinion that they were descended from nations who differed very much from one another in their manners. The Mexicans were ferocious and cruel. The Peruvians were mild in their disposition, and better versed in useful arts. Upon a further acquaintance with those people, it appears that the northern Indians in general alleged that their ancestors came from the northwestward. From this and from other circumstances we presume that they crossed over the narrow seas, in small craft, in high latitudes, from Asia to America. But the Peruvian Indians had no such means of coming from the other continent. Unless they descended from the northern Indians, they must have come by a long passage; and every thing we know concerning those Indians strengthens the opinion that they came from India. The passage as we observe must have been very long; but it is fully ascertained by modern discoveries, that the Hindoos two or three thousand years

ago were good astronomers and were interested in foreign commerce by sea. In the Vedas, a book of the Hindoos that, as they say, contains all kinds of knowledge, there is a law for regulating the interest of money in all cases, except in the case of bottomry, or money advanced on the security of ships bound on distant voyages. No such exception could have been made, except by a nation that was concerned in maritime commerce. That nation, as we presume, planted a colony in South America.

It is known that the Incas of Peru, the royal family, traced their descent from the sun, which they worshipped, wherefore they refused to mix their blood with other families. But it is also known that a royal family in India, for many ages, alleged that they were children of the sun. From that family, as we presume, the Incas of Peru borrowed the pretence of solar ancestry.

We shall state another fact, from the authority of sir William Jones, that renders the descent of the Peruvian Indians from Indostan nearly certain. The Hindoos celebrate a chieftain, of the highest respectability, who reigned in Ayodha. He was the last king in the silver age, who was descended from the sun. His name was Rama. His wife, Sita, was forcibly carried off by a giant; but after she escaped from her captivity she established her chastity by the fire ordeal. She became a favourite among

the women; and the fire ordeal of Sita is celebrated to this day among the Hindoos. But the chief festival among the Peruvians was called Ramasitva. This includes the name of the Hindoo sun-born king and his wife.

C.

PAGE 29.

Abstract of Sir Walter Raleigh's Letters Patent.

The usual tautology and repetitions being omitted.

Elizabeth by the grace of God, queen, &c. To all persons to whom these presents shall come. Know ye, that of our especial favour, we give to our trusty and well beloved servant Walter Raleigh, Esq. and to his heirs and assigns, free liberty to search for and find such remote and barbarous lands, not possessed by any christian people, as to him may seem good, and the same to occupy and enjoy for ever, with all prerogatives, franchises, jurisdictions, royalties and preeminences thereunto which we, by our letters patent, may grant.

And we give liberty and authority to him and them, to take, and leave to inhabit such countries, so many of our subjects, as shall willingly accompany him or them.

And he or they shall hold and enjoy all the soil of the countries, thus to be discovered, with full power to dispose of the same, or any part of it, in fee-simple or otherwise, to any persons, they remaining in our allegiance; reserving to ourselves one fifth of all the gold or silver there to be discovered. Which countries shall

be held of us, by homage, and by said fifth part for all services.

We give him and them authority to encounter and repel any persons who, without his or their license, shall attempt to settle within said countries; or within the space of two hundred leagues of the place where he or any of his associates shall make their abode within six years next ensuing; giving him authority to surprise and take all such persons with their ships and furniture.

And we grant that the heirs of all our liege subjects, natives of England or Ireland, who may reside in such countries, shall enjoy all the privileges of persons born in England.

And we grant, for the preservation of peace and good order, that he or they shall have power and authority to correct, punish, govern and rule, by their discretion, as well in capital as civil cases, all such persons as may inhabit such countries, according to such statutes and laws as they may devise, so always that such statutes and laws agree, as nearly as may be, to the laws of England, and not against the christian faith.

We give authority to our lord high treasurer, or to any four of our privy council, to permit the said Walter Raleigh or his associates, from time to time, to export

from this realm all such goods and commodities as may be thought necessary or conducive to their relief and support.

Provided always that if he or they, or any of them, shall at any time rob or spoil, by sea or land, or commit any unlawful hostility against the subjects of any potentate with whom we are at peace, and when thereunto required by us, shall neglect to make full satisfaction, within the limited time, to the party injured, he or they may be put out of our protection, in which case it may be permitted to such potentate, to pursue them with hostility, as not being our subjects.

Witness ourselves at Westminster the five and twentieth day of March, in the six and twentieth year of our reign, Anno 1518.

D.

PAGE 81.

A short account of Bacon's rebellion in the years 1675, 1676, extracted from an original manuscript addressed to the right honourable Robert Harley, principal secretary of state to queen Ann, dated 13th July, 1705, and written at the request of Mr. Harley by T. M. The manuscript was lately found among Mr. Harley's papers.

The writer, who signed the initials of his name, resided in London. He was a merchant at the date of his letter, but he had been a planter in Virginia at the time of the rebellion. He lived in Northumberland county and had a farm, slaves and cattle in Stafford county on the Potowmac, which county he represented, in the house of burgesses in the year 1675-6.

A poor man, Robert Henn, was killed by the Indians in his own house, at break of day, early in the spring, in the year 1675. He only lived to tell some people, who came to the house, that he had been struck by Indians called the Doegs. They were a small tribe who lived on the Maryland side of the Potowmac, about four miles from the river. Colonel Mason of the militia and captain Brent with thirty or forty privates, imme-

diately pursued those Indians. They went up the river twenty miles, crossed it and came to the cabins of the Doegs the next night before day. They killed the king and ten of his people; the rest fled.

After that action, sundry murders were committed in Stafford and some in Maryland by Indians unknown. Armed boats were employed on the river to prevent Indians from crossing. A tribe of Indians called Pascataways who lived on the Maryland side were strongly suspected. Those Indians lived in a fort made of large stakes wattled. One thousand men, who were raised in Virginia and Maryland, in the opposite counties, near those Indians, marched to the fort. Four of the Indians came out of the fort to inquire their business; but those Indians were put to death. The fort was besieged to little purpose; for it was musket proof, and the militia had no artillery. After a siege of six weeks, the Indians, seventy-five in number, with their wives and children, escaped in the night. Those Indians passed to the southward and killed several people, on the western frontier, before they came to the falls of James's river, where they killed the overseer of Mr. Bacon and one of his servants. Massacres by the Indians became frequent; and small families fled from the outer settlements. Houses in general near the frontier were fortified by palisades; and no man stirred abroad unarmed; for small parties of Indians were seen, lurking about every day. People

who lived far up James' and York rivers suffered most by the Indians who fled from Potowmac. Frequent applications were made to the governor sir William Berkley for assistance, who promised but sent none. The settlers on those rivers rose in a body, chose Bacon their commander, and sent to the governor for a commission, offering to go against the Indians at their own expense. A commission was promised once and again; but none was sent, nor was the cause of such neglect ever stated. The governor was deemed to be avaricious and irascible. He may have been on that occasion somewhat jealous. The people wearied by evasions resolved to march, about three hundred of them militia officers and others by a certain day without a commission unless one could be obtained; for which they made another application. No commission was sent; but the people marched towards the frontier in search of the Indians. The governor issued a proclamation declaring them all rebels who should not return by a certain day. Men who had the best estates chiefly returned; but Bacon with fifty-seven men advanced while their provisions lasted. They found no enemy Indians. Their provisions being expended, they came to a fort of Indians who were called friendly and offered to buy provisions. The Indians promised them a supply; but no supply was brought for three days. The men nearly starving suspected the Indians of treachery and took provisions by force out of the fort. In that action many of the Indians were killed;

and three of the white men. The party returned to their respective homes. Bacon halted at his farm near the falls of James's river.

This Bacon was a man of fine talents, not above thirty years of age. He had been bred to the law in London and came out with the prospect of inheriting the estate of colonel Bacon, a rich uncle, who was childless, and a member of the governor's council. Bacon had married a rich widow in Jamestown, the seat of government; had already become a member of the council, and being a man of pleasing address, had become very popular.

Writs were issued by the governor, soon after the expedition last mentioned, for choosing members of assembly; and Bacon was chosen one of the members for the county, near the falls, where his farm was; for the governor by proclamation had declared him to be expelled from the council.

Coming down the river to attend the assembly, Bacon was arrested by the sheriff of Jamestown, and carried before the governor, who immediately paroled him. On the next day, Bacon read a paper in the presence of the governor, the council and assembly, expressing his penitence for his late illegal proceedings; and the governor declared that he was pleased with that mark of repentance, and said that he pardoned Bacon and all his

late adherents. He added, that in the case of good behaviour, Mr. Bacon in a few months might expect to resume his seat at the council board. On the very next day, Bacon was seen in his former seat at the council board. This sudden mark of kindness in the governor had not been expected; but it was afterwards explained in a manner not much to the governor's honor. The late expenditure of public money had not been well accounted for; people had become clamorous; and it was not improbable that Bacon, a popular man, and good speaker in the house of burgesses, might carry a vote of inquiry in opposition to the governor's partisans; therefore he was removed from that house.

The assembly proceeded to business; and on the next day a motion was made to inspect the public revenue and the collector's accounts, for taxes were heavy; but a message was received from the governor ordering them not to do any thing before the Indian business should be finished. A committee being then appointed to consider of Indian affairs, a motion was made to request two of the council to sit with the committee. This motion was objected to by T. M. who was a new member, and presumed that their assistance was unnecessary; but the motion was carried. Those men, in fact, sat as spies. The assembly were employed some days in fixing the quota to be furnished by the several counties toward the Indian war. While they were thus engaged it was, one

morning, reported, to their astonishment, that Bacon had fled. Mr. T. M. immediately called upon Mr. Lawrence a particular friend of Mr. Bacon, to inquire the truth of the story. This Lawrence formerly of Oxford, a man of learning and fair character, had been hardly treated by the governor in behalf of a corrupt favorite in a suit at law for a considerable estate. Such at least was the information T. M. received from colonel Lee a member of the council. It followed that the governor and Mr. Lawrence did not love one another. It has been observed that Mr. Bacon made his submission to the governor by reading a paper that he is supposed to have read at the request of his uncle Nathaniel Bacon, by whom it was written. But the governor had not been candid in declaring that he accepted his submission. He knew that the town, at that juncture, was full of Bacon's friends. By pretending that he pardoned Bacon, he caused them to go home. After those people had gone home, the governor privately issued warrants for apprehending Bacon and his adherents. Bacon being informed of those warrants, perhaps by his uncle, fled. The house of Mr. Lawrence had been searched for him that morning by break of day.

Three or four days after Bacon's escape, it was reported that he was at the head of four hundred men about twenty miles up the river. The governor ordered the militia on both sides of the river to turn out and

protect the town. They did not come; but in less than four days Bacon and his men, horse and foot, entered the town at two o'clock, P. M. without opposition and disarmed the inhabitants. The assembly being convened before three o'clock, and the governor with his council sitting in the court-house, Bacon with a few men advanced towards the house. The governor met him on the green and opening his bosom told him to fire. Bacon replied, "I will not hurt a hair of your head; we only want a commission to go against the Indians which you have often promised; but now we will have it." The governor and council returned to their chamber; and Bacon went to the house of burgesses requiring a commission of them, but was told by Mr. Blayton, a member from the same county, that commissions could only be granted by the governor.

Next day Bacon received a commission from the governor, as general, to command the forces to be raised against the Indians. He began immediately to commission officers to serve under him. He generally commissioned gentlemen who held the same rank in the militia. The assembly, having finished the war bill, broke up; and Bacon, with a considerable body of men, marched in quest of the Indian enemy; but the governor immediately called out the militia of Gloucester and Middlesex, 1200 men, whom he ordered to pursue Bacon as a rebel. They refused to march. Bacon hearing of the

steps taken by the governor returned. A few people under the governor attempted the defence of Jamestown by slight field works. Bacon entered the town and burnt it; but the governor escaped to the Eastern Shore where he was not supported with much zeal; but he commenced a sort of privateering war against the militia on the other side of the bay. Bacon marched again in search of hostile Indians; but the weather being warm and the season happening to be exceedingly rainy, he was taken ill of a dysentery of which he died in Gloucester county a few days after his return. The officers who served under Bacon having made their peace with the governor, he returned to his former residence; but he made such havoc by courts martial, hanging people who were supposed to have been friendly to Bacon, that the assembly interfered by a petition praying him to stop the work of death.

The body of Bacon, concealed by his friends, eluded the governor's search. Lawrence and some other gentlemen fled from the province, or killed themselves, to deprive the governor of that pleasure. Troops were sent out the next year to restore peace; and sir William Berkeley sailed for London; but he died without seeing the king. It was reported that king Charles, speaking of the executions in Virginia, said that the old fool had taken away more lives in that naked country than himself had taken for the murder of his father.

D d.

PAGE 87.

THE SECOND CHARTER,

*Granted by King Charles II. to the Proprietors of
Carolina.*

CHARLES the Second, by the grace of God, of Great Britain, France, and Ireland, king, defender of the faith, &c. Whereas, by our letters patent, bearing date the twenty-fourth day of March, in the fifteenth year of our reign, we were graciously pleased to grant unto our right trusty and right well beloved cousin and counsellor Edward earl of Clarendon, our high chancellor of England; our right trusty and entirely beloved cousin and counsellor George duke of Albemarle, master of our horse; our right trusty and well beloved William now earl of Craven; our right trusty and well beloved counsellor John lord Berkeley; our right trusty and well beloved counsellor Anthony lord Ashley, chancellor of our exchequer; our right trusty and well beloved counsellor sir George Carteret, knight and baronet, vice-chancellor of our household; our right trusty and well beloved sir John Colleton, knight and baronet; and sir William Berkeley, knight; all that province, territory, or tract of ground, called Carolina, situate, lying and being within our dominions of America;

extending from the north end of the island called Luke Island, which lieth in the southern Virginia seas, and within thirty-six degrees of north latitude; and to the west, as far as the south seas, and so respectively as far as the river of Matthias, which bordereth upon the coast of Florida, and within thirty-one degrees of northern latitude; and so west, in a direct line, as far as the south seas aforesaid.

Now know ye, that we, at the humble request of the said grantees, in the aforesaid letters patent named, and as a further mark of our especial favour to them, we are graciously pleased to enlarge our said grant unto them, according to the bounds and limits hereafter specified, and in favour to the pious and noble purpose of the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, all that province, territory, or tract of land, situate, lying and being within our dominions of America aforesaid; extending north and eastward, as far as the north end of Currituck river or inlet, upon a straight westerly line to Wyonoak creek, which lies within or about the degrees of thirty-six, and thirty minutes, northern latitude; and so west, in a direct line, as far as the south seas; and south and westward, as far as the degrees of twenty-nine, inclusive, of northern latitude; and so west,

in a direct line, as far as the south seas; together with all and singular the ports, harbors, bays, rivers, and inlets, belonging unto the province or territory aforesaid: and also, all the soils, lands, fields, woods, mountains, ferms, lakes, rivers, bays, and islets, situate or being within the bounds or limits last before mentioned; with the fishings of all sorts of fish, whales, sturgeons, and all other royal fish, in the sea, bays, islets, and rivers, within the premises, and the fish therein taken, together with the royalty of the sea upon the coast within the limits aforesaid; and moreover all veins, mines, and quarries, as well discovered as not discovered, of gold, silver, gems, and precious stones, metal, or any other thing, found, or to be found, within the province, territory, islets, and limits aforesaid: and furthermore, the patronage and advowsons of all the churches and chapels, which, as christian religion shall increase within the province, territory, isles, and limits aforesaid, shall happen hereafter to be erected; together with license and power to build and found churches, chapels, and oratories, in convenient and fit places, within the said bounds and limits; and to cause them to be dedicated and consecrated, according to the ecclesiastical laws of our kingdom of England; together with all and singular the like and as ample rights, jurisdictions, privileges, prerogatives, royalties, liberties, immunities, and franchises, of what kind soever, within the territory, isles, islets, and limits aforesaid: to have, hold, use, exercise,

and enjoy the same; as amply, fully, and in as ample manner, as any bishop of Durham, in our kingdom of England, ever heretofore, had, held, used, or enjoyed, or of right ought or could have, use, or enjoy: and them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, we do, by these presents, for us, our heirs and successors, make, create, and constitute, the true and absolute lords and proprietors of the said province or territory, and of all other the premises; saving always the faith, allegiance, and sovereign dominion, due to us, our heirs and successors, for the same: to hold, possess, and enjoy the said province, territory, islets, and all and singular other the premises, to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns for ever; to be holden of us, our heirs and successors, as of our manor of East Greenwich, in Kent, in free and common soccage, and not in capite, or by knight's service: yielding and paying, yearly, to us, our heirs and successors, for the same, the fourth part of all gold and silver ore, which, within the limits hereby granted, shall, from time to time, happen to be found, over and besides the yearly rent of twenty marks, and the fourth part of the gold and silver

ore, in and by the said written letters patent reserved and payable.

And that the province or territory hereby granted and described, may be dignified with as large tithes and privileges, as any other parts of our dominions and territories in that region; know ye, that we, of our further grace, certain knowledge, and mere motion, have thought fit to annex the same tract of ground or territory unto the same province of Carolina; and out of the fulness of our royal power and prerogative, we do, for us, our heirs and successors, annex and unite the same to the said province of Carolina.

And forasmuch as we have made and ordained the aforesaid Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, the true lords and proprietors of all the province or territory aforesaid; know ye therefore moreover, that we, reposing especial trust and confidence in their fidelity, wisdom, justice, and provident circumspection, for us, our heirs and successors, do grant full and absolute power, by virtue of these presents, to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John

Colleton, and sir William Berkeley, their heirs and assigns, for the good and happy government of the said whole province or territory, full power and authority, to erect, constitute, and make several counties, baronies, and colonies, of and within the said provinces, territories, lands, and hereditaments, in and by the said letters patents, granted, or mentioned to be granted, as aforesaid, with several and distinct jurisdictions, powers, liberties, and privileges: and also, to ordain, make, and enact, and, under their seals, to publish any laws and constitutions whatsoever, either appertaining to the public state of the whole province or territory, or of any distinct or particular county, barony, or colony, or of or within the same, or to the private utility of particular persons, according to their best directions, by and with the advice, assent, and approbation, of the freemen of the said province or territory, or of the freemen of the county, barony, or colony, for which such law or constitution shall be made, or the greater part of them, or of their delegates or deputies, whom, for enacting of the said laws, when, and as often as need shall require, we will, that the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs or assigns, shall, from time to time, assemble, in such manner and form as to them shall seem best; and the same laws duly to execute, upon all peo-

ple within the said province or territory, county, barony, or colony, or the limits thereof, for the time being, which shall be constituted, under the power, and government of them or any of them, either sailing towards the said province, or territory of Carolina, or returning from thence towards England, or any other of our, or foreign dominions, by imposition of penalties, imprisonment, or any other punishment; yea, if it shall be needful, and the quality of the offence require it, by taking away member and life, either by them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs, or by them, or their deputies, lieutenants, judges, justices, magistrates, or officers, whatsoever, as well within the said province, as at sea, in such manner and form as unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs, shall seem most convenient: and also, to remit, release, pardon, and abolish, whether before judgment or after, all crimes and offences whatsoever, against the said laws; and to do all and every thing and things, which, unto the complete establishment of justice, unto courts, sessions, and forms of judicature, and manners of proceeding therein, do belong, although in these presents, express mention

is not made thereof; and by judges to him or them delegated, to award process, hold pleas, and determine, in all the said courts and places of judicature, all actions, suits, and causes, whatsoever, as well criminal as civil, real, mixt, personal, or of any other kind or nature whatsoever: which laws so as aforesaid to be published, our pleasure is, and we do enjoin, require, and command, shall be absolutely firm and available in law; and that all the liege people of us, our heirs and successors, within the said province or territory, do observe and keep the same inviolably in those parts, so far as they concern them, under the pains and penalties therein expressed, or to be expressed: *Provided nevertheless*, That the said laws be consonant to reason, and as near as may be conveniently, agreeable to the laws and customs of this our realm of England.

And because such assemblies of freeholders cannot be so suddenly called as there may be occasion to require the same, we do therefore, by these presents, give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, by themselves, or their magistrates, in that behalf lawfully authorized, full power and authority, from time to time, to make and ordain fit and wholesome orders and ordinances within the province or territory aforesaid, or any county, barony, or pro-

vince, within the same, to be kept and observed, as well for the keeping of the peace, as for the better government of the people there abiding, and to publish the same to all to whom it may concern: which ordinances we do, by these presents, straitly charge and command to be inviolably observed within the same province, counties, territories, baronies, and provinces, under the penalties therein expressed; so as such ordinances be reasonable, and not repugnant or contrary, but, as near as may be, agreeable to the laws and statutes of this our kingdom of England; and so as the same ordinances do not extend to the binding, charging, or taking away the right or interest of any person or persons, in their freehold, goods, or chattels, whatsoever.

And to the end the said province or territory may be the more happily increased, by the multitude of people resorting thither, and may likewise be the more strongly defended from the incursions of savages, and other enemies, pirates, and robbers; therefore, we, for us, our heirs and successors, do give and grant, by these presents, full power, license, and liberty, unto all the liege people of us, our heirs and successors, in our kingdom of England, and elsewhere, within any other our dominions, islands, colonies, or plantations, (excepting those who shall be especially forbidden) to transport themselves and families into the said province or territory, with convenient shipping and fitting provision; and there

to settle themselves, dwell, and inhabit: any law, act, statute, ordinance, or other thing, to the contrary, notwithstanding.

And we will also, and of our especial grace, for us, our heirs and successors, do straitly enjoin, ordain, constitute, and command, that the said province and territory shall be of our allegiance; and that all and singular the subjects and liege people of us, our heirs and successors, transported, or to be transported into the said province, and the children of them, and such as shall descend from them there born, or hereafter to be born, be, and shall be denizens and lieges of us, our heirs and successors, of this our kingdom of England, and be, in all things, held, treated, and reputed, as the liege faithful people of us, our heirs and successors, born within this our said kingdom, or any other of our dominions; and may inherit or otherwise purchase and receive, take, hold, buy and possess, any lands, tenements, or hereditaments, within the said places, and them may occupy and enjoy, sell, alien, and bequeath; as likewise, all liberties, franchises, and privileges, of this our kingdom, and of other our dominions aforesaid, may freely and quietly have, possess, and enjoy, as our liege people, born within the same, without the molestation, vexation, trouble, or grievance, of us, our heirs and successors: any act, statute, ordinance, or provision, to the contrary, notwithstanding.

And furthermore, that our subjects of this our said kingdom of England, and other our dominions, may be the rather encouraged to undertake this expedition, with ready and cheerful means; know ye, that we, of our especial grace, certain knowledge, and mere motion, do give and grant, by virtue of these presents, as well to the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs, as unto all others as shall, from time to time, repair unto the said province or territory, with a purpose to inhabit there, or to trade with the natives thereof; full liberty and license, to lade and freight, in every port whatsoever, of us, our heirs and successors, and into the said province of Carolina, by them, their servants and assigns, to transport all and singular their goods, wares, and merchandises; as likewise, all sorts of grain whatsoever, and any other thing whatsoever, necessary for their food and clothing, not prohibited by the laws and statutes of our kingdom and dominions, to be carried out of the same, without any let or molestation of us, our heirs and successors, or of any other our officers or ministers whatsoever; saving also unto us, our heirs and successors, the customs, and other duties and payments, due for the said wares and merchandises, according to the several rates of the places from whence the same shall be transported.

We will also, and by these presents, for us, our heirs and successors, do give and grant license, by this our charter, unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs and assigns, and to all the inhabitants and dwellers in the province or territory aforesaid, both present and to come, full power and absolute authority, to import or unlade, by themselves or their servants, factors, or assigns, all merchandises and goods whatsoever that shall arise of the fruits and commodities of the said province or territory, either by land or sea, into any the ports of us, our heirs and successors, in our kingdom of England, Scotland, or Ireland, or otherwise to dispose of the said goods in the said ports; and, if need be, within one year next after the unlading, to lade the said merchandises and goods again into the same or other ships; and to export the same into any other countries, either of our dominions or foreign, being in amity with us, our heirs and successors, so as they pay such customs, subsidies, and other duties, for the same, to us, our heirs and successors, as the rest of our subjects of this our kingdom, for the time being, shall be bound to pay; beyond which, we will not, that the inhabitants of the said province or territory, shall be any ways charged: *Provided nevertheless*, and our will and pleasure is, and we have further, for the considerations aforesaid, of our

special grace, certain knowledge, and mere motion, given and granted, and by these presents, for us, our heirs and successors, do give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, full and free license, power, and authority, at any time or times, from and after the feast of St. Michael the archangel, which shall be in the year of our Lord Christ one thousand six hundred and sixty-seven, as well to import and bring into any of our dominions, from the said province of Carolina, or any part thereof, the several goods herein after mentioned; that is to say, silks, wines, raisins, capers, wax, almonds, oil, and olives, without paying or answering to us, our heirs and successors, any custom, impost, or other duty, for or in respect thereof, for and during the term and space of seven years, to commence and be accounted from and after the importation of four tons of any of the said goods, in any one bottom, ship, or vessel, from the said province or territory, into any of our dominions; as also, to export, and carry out of any of our dominions, into the said province or territory, custom free, all sorts of tools which shall be useful or necessary for the planters there, in the accommodation and improvement of the premises: any thing before in these presents contained, or any law, act, statute, prohibition, or other matter or thing, heretofore had, made, enacted, or provided, in anywise, notwithstanding.

And further more, of our more ample and especial grace, certain knowledge, and mere motion, we do, for us, our heirs and successors, grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, full and absolute power and authority, to make, erect, and constitute, within the said province or territory, and the isles and islets aforesaid, such and so many sea ports, harbors, creeks, and other places, for discharge and unlading of goods and merchandises, out of ships, boats, and other vessels, and for lading of them, in such and so many places, with such jurisdictions, privileges, and franchises, unto the said ports belonging, as to them shall seem most expedient; and that all and singular the ships, boats, and other vessels, which shall come for merchandises and trade into the said province or territory, or shall depart out of the same, shall be laden and unladen at such ports only as shall be erected and constituted by the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, and not elsewhere: any use, custom, or thing, to the contrary, notwithstanding.

And we do further will, appoint, and ordain, and by these presents, for us, our heirs and successors, do grant

unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs and assigns, that they the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, may, from time to time, for ever, have and enjoy the customs and subsidies, in the ports, harbors, creeks, and other places within the province aforesaid, payable for the goods, wares, and merchandises there laded, or to be laded or unladed; the said customs to be reasonably assessed, upon any occasion, by themselves, and by and with the consent of the free people, or the greater part of them, as aforesaid; to whom we give power, by these presents, for us, our heirs and successors, upon just cause, and in due proportion, to assess and impose the same:

And further, of our especial grace, certain knowledge, and mere motion, we have given, granted, and confirmed, and by these presents, for us, our heirs and successors, do give, grant, and confirm, unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, full and absolute

power, license, and authority, that they the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, from time to time hereafter, for ever, at his and their will and pleasure, may assign, alien, grant, demise, or enfeoff, the premises, or any part or parcel thereof, to him or them that shall be willing to purchase the same, and to such person and persons as they shall think fit; to have and to hold to them, the said person or persons, their heirs and assigns, in fee-simple, or in fee-tail, or for term of life or lives, or years; to be held of them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, by such rents, services, and customs, as shall seem fit to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, and not of us, our heirs and successors: and to the same person and persons, and to all and every of them, we do give and grant, by these presents, for us, our heirs and successors, license, authority, and power, that such person or persons may have and take the premises, or any part thereof, of the said Edward earl of Claren-

don, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns; and the same to hold to themselves, their heirs and assigns, in what estate of inheritance soever, in fee-simple, or fee-tail, or otherwise, as to them the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs or assigns, shall seem expedient; the statute in the parliament of Edward, son of king Henry, heretofore king of England, our predecessor, commonly called the statute of *quia emptores terrar*, or any other statute, act, ordinance, use, law, custom, or any other matter, cause, or thing, heretofore published or provided to the contrary, in anywise, notwithstanding.

And because many persons, born and inhabiting in the said province, for their deserts and services, may expect and be capable of marks of honor and favor, which, in respect of the great distance, cannot be conveniently conferred by us; our will and pleasure therefore is, and we do by these presents, give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs and

assigns, full power and authority, to give and confer unto and upon such of the inhabitants of the said province or territory, as they shall think do or shall merit the same, such marks of favor and titles of honor, as they shall think fit; so as their titles or honors be not the same as are enjoyed by or conferred upon any of the subjects of this our kingdom of England.

And further also, we do, by these presents, for us, our heirs and successors, give and grant license, to the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, and their heirs and assigns, full power, liberty, and license, to erect, raise, and build, within the said province and places aforesaid, or any part or parts thereof, such and so many forts, fortresses, castles, cities, boroughs, towns, villages, and other fortifications whatsoever; and the same, or any of them, to fortify and furnish with ordnance, powder, shot, armor, and all other weapons, ammunition, and habiliments of war, both defensive and offensive, as shall be thought fit and convenient, for the safety and welfare of the said province and places, or any part thereof; and the same, or any of them, from time to time, as occasion shall require, to dismantle, disfurnish, demolish, and pull down: and also to place, constitute, and appoint, in or over all or any of the said castles, forts fortifica-

tions, cities, towns, and places aforesaid, governors, deputy governors, magistrates, sheriffs, and other officers, civil and military, as to them shall seem meet: and to the said cities, boroughs, towns, villages, or any other place or places, within the said province, or territory, to grant letters or charters of incorporation, with all liberties, franchises, and privileges, requisite or usual, or to or within this our kingdom of England granted or belonging; and in the same cities, boroughs, towns, and other places, to constitute, erect and appoint such and so many markets, marts, and fairs, as shall, in that behalf, be thought fit and necessary: and further also, to erect and make in the province or territory aforesaid, or any part thereof, so many manors, with such signiories as to them shall seem meet and convenient; and in every of the same manors to have and to hold a court baron, with all things whatsoever which to a court baron do belong; and to have and to hold views of frank pledge and court leets, for the conservation of the peace and better government of those parts, with such limits, jurisdictions and precincts, as by the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, or their heirs, shall be appointed for that purpose, with all things whatsoever which to a court leet, or view of frank pledge, do belong; the same courts to be holden by stewards, to be deputed and authorized by

the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, or their heirs, by the lords of the manors and leets, for the time being, when the same shall be erected.

And because that in so remote a country, and situate among so many barbarous nations, the invasions of savages and other enemies, pirates, and robbers, may probably be feared; therefore, we have given, and for us, our heirs and successors, do give power, by these presents, unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs or assigns, by themselves, or their captains, or other officers, to levy, muster, and train up all sorts of men, of what condition soever, or wheresoever born, whether in the said province, or elsewhere, for the time being; and to make war, and pursue the enemies aforesaid, as well by sea, as by land; yea, even without the limits of the said province, and, by God's assistance, to vanquish, and take them; and being taken, to put them to death, by the law of war, and to save them at their pleasure, and to do all and every other thing, which to the charge

and office of a captain general of an army, hath had the same.

Also, our will and pleasure is, and by this our charter, we do give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, full power, liberty, and authority, in case of rebellion, tumult, or sedition, (if any should happen, which God forbid) either upon the land within the province aforesaid, or upon the main sea, in making a voyage thither, or returning from thence, by him and themselves, their captains, deputies, or officers, to be authorized under his or their seals, for that purpose; to whom also, for us, our heirs and successors, we do give and grant, by these presents, full power and authority, to exercise martial law against any mutinous and seditious persons of these parts; such as shall refuse to submit themselves to their government, or shall refuse to serve in the war, or shall fly to the enemy, or forsake their colors or ensigns, or be loiterers, or stragglers, or otherwise offending against law, custom, or military discipline; as freely and in as ample manner and form, as any captain general of an army, by virtue of his office, might or hath accustomed to use the same.

And our further pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, and to the tenants and inhabitants of the said province or territory, both present and to come, and to every of them, that the said province or territory, and the tenants and inhabitants thereof, shall not, from henceforth, be held or reputed any member or part of any colony whatsoever in America, or elsewhere, now transported or made, or hereafter to be transported or made; nor shall be depending on, or subject to their government in any thing, but be absolutely separated and divided from the same; and our pleasure is, by these presents, that they be separated, and that they be subject immediately to our crown of England, as depending thereof, for ever: and that the inhabitants of the said province or territory, nor any of them, shall, at any time hereafter, be compelled, or compellable, or be any way subject or liable to appear or answer to any matter, suit, cause or plaint whatsoever, out of the province or territory aforesaid, in any other of our islands, colonies, or dominions in America, or elsewhere, other than in our realm of England, and dominion of Wales.

And because it may happen that some of the people and inhabitants of the said province, cannot, in their private opinions, conform to the public exercise of religion, according to the liturgy, forms, and ceremonies of the church of England, or take and subscribe the oaths and articles made and established in that behalf; and for that the same, by reason of the remote distances of those places, will, as we hope, be no breach of the unity and conformity established in this nation; our will and pleasure therefore is, and we do, by these presents, for us, our heirs and successors, give and grant unto the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, full and free license, liberty, and authority, by such ways and means as they shall think fit, to give and grant unto such person and persons, inhabiting and being within the said province or territory, hereby, or by the said recited letters patents mentioned to be granted as aforesaid, or any part thereof, such indulgences and dispensations, in that behalf, for and during such time and times, and with such limitations and restrictions, as they the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir George Carteret, sir John Colleton, and sir William Berkeley, their heirs or assigns, shall, in their discretion, think fit and reasonable:

And that no person or persons unto whom such liberty shall be given, shall be any way molested, punished, disquieted, or called in question, for any differences in opinion, or practice in matters of religious concernments, who do not actually disturb the civil peace of the province, county or colony, that they shall make their abode in: But all and every such person and persons may, from time to time, and at all times, freely and quietly have and enjoy his and their judgments and consciences, in matters of religion, throughout all the said province or colony, they behaving themselves peaceably, and not using this liberty to licentiousness, nor to the civil injury, or outward disturbance of others: Any law, statute, or clause, contained or to be contained, usage or custom of our realm of *England*, to the contrary hereof, in anywise, notwithstanding.

And in case it shall happen, that any doubts or questions shall arise, concerning the true sense and understanding of any word, clause, or sentence contained in this our present charter; we will, ordain, and command, that in all times, and in all things, such interpretations be made thereof, and allowed in all and every of our courts whatsoever, as lawfully may be adjudged most advantageous and favorable to the said Edward earl of Clarendon, George duke of Albemarle, William earl of Craven, John lord Berkeley, Anthony lord Ashley, sir

George Carteret, sir John Colleton, and sir William Berkeley, their heirs and assigns, although express mention, &c.

WITNESS ourself, at Westminster, the thirtieth day of June, in the seventeenth year of our reign.

Per ipsum regem.

E.

PAGE 92.

From the proprietors of Carolina to Sir William Berkeley,

SIR,

Cockpit, 8th September, 1663.

Since you left us, we have endeavored to procure, and have at length obtained his majesty's charter for the province of Carolina. A copy of which we herewith send you. Since the sealing whereof, there hath started a title under a patent granted, the fifth year of king Charles the first, to sir Robert Heath, under which there hath been a claim by the duke of Norfolk's agent, and another by sir Richard Greenfield's heirs; but all those that shall plant, notwithstanding that patent, are, by an act of the king and council secured, and that patent by king and council made null and ordered to be made so by the king's attorney-in the courts of law; a copy of which order we herewith send you, so that no person need scruple planting under our patent. Besides we have many more advantages than is in the other to encourage the undertakers. We are informed that there are some people settled on the northeast part of the river Chowan, and that others have inclinations to plant there, as also on the larboard side entering of the same river; so that we hold it convenient that a government be forthwith appointed for the colony; and for that end

we have by captain Wittey, sent you a power to constitute one or two governors and councils and other officers, unto which power we refer ourselves, we having only reserved the nomination of a surveyor and a secretary as officers that will be fit to take care of your and our interests; the one by faithfully laying out the lands, the other by justly recording the same. We do likewise send you proposals to all that will plant, which we prepared upon receipt of a paper from persons that desired to settle near Cape Fear, in which our considerations are as low as it is possible for us to descend. This was not intended for your meridian, where we hope to find more facile people who by your interest may settle upon better terms for us, which we leave to your management, with our opinion that you grant as much as is possible rather than deter any from planting there. By our instructions and proposals you will see what proportions of land we intend for each master and servant, and in what manner to be allowed; but we understand that the people that are there have bought great tracts of land from the Indians, which if they shall enjoy will weaken the plantation: first, because those persons will probably keep all those lands to themselves, and so make the neighborhood of others remote from their assistance in case of danger; secondly, if any new-comers would settle near their habitations they will not peradventure admit it without purchasing; and possibly upon hard terms, which will discourage people from planting: Wherefore

it is our resolution and desire that you persuade or compel those persons to be satisfied with such portions as we allot to others, which will be more than any such number of men, to and for whom these proportions are to be given, can manage, and therefore enough. More will but scatter the people and render them liable to be easily destroyed by an enemy; so that the fixing the way that our instructions mention will be the best course of settling as we conceive. However we do leave it to you that are on the place and can best judge.

The reason of giving you power to settle two governors, that is, of either side of the river; one is, because some persons that are for liberty of conscience may desire a governor of their own proposing, which those on the other side of the river may not so well like. Our desire being to encourage those people to plant abroad, and to stock well those parts with planters, incite us to comply always with all sorts of persons as far as possibly we can. You will be the best able to judge when you hear all parties, and therefore refer the thing wholly to you. The entrance into Chowan river is difficult and water but for small vessels: But we understand that there is an entrance bold and deep water in the latitude thirty-four, which is near the rivers called Neus and Pamlico, which we conceive may be best discovered from your parts. In order to which we desire you to procure at freight or otherwise some small vessel that draws little water, to

make that discovery and some others into the sound through which great ships may peradventure come to Chowan, and give us admittance into other brave rivers that lie in the sound. And whilst they are abroad they may look into Charles river a very little to the southward of Cape Fear, and give us an account of what is there. This work we hold necessary to be done that the king may see we sleep not with his grant, but are promoting his service and his subjects' profit. By captain Whittey's relation you may easily pass by land and river from your government to Chowan river, and ride but twenty-five miles by land, which makes us presume earnestly to entreat you to make a journey thither, whereby you may upon your own knowledge give us your opinion of it, and direct such discoveries to be made by that river as you shall see fit.

We remain, &c.

F.

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GREAT DEED OF GRANT.

GEORGE duke of Albemarle, master of his majesty's horse; EDWARD earl of Clarendon; WILLIAM earl of Craven; JOHN lord BERKELEY; Anthony lord ASHLER, chancellor of the exchequer; sir GEORGE CARTERET, vice-chamberlain of his majesty's household; sir WILLIAM BERKELEY, knight; and sir JOHN COLLETON, baronet; the true and absolute lords proprietors of all the province of Carolina;

To our trusty and well beloved Samuel Stevens, esq. governor of our county of Albemarle, and the isles and islets within ten leagues thereof; and to our trusty and well beloved counselors and assistants to our said governor, Greeting:

WHEREAS we have received a petition from the grand assembly of our county of Albemarle, praying, that the inhabitants of the said county may hold their lands upon the same terms and conditions that the inhabitants of Virginia hold theirs; and forasmuch as the said county doth border upon Virginia, and is much of the same nature, we are content, and do grant, that the inhabitants of the said county do hold their lands of us, the lords proprietors, upon the same terms and conditions

that the inhabitants of Virginia hold theirs. Wherefore, be it known unto all men, by these presents, that we, the said lords and absolute proprietors of the county within the province aforesaid, have given, granted, and by these presents, do give and grant, full power and authority unto you, the said governor, by and with the consent of our council, or the major part thereof, or to any governor for the time being, or that shall hereafter be by us appointed, full power and authority, by and with the consent of our council then being, or the major part thereof, to convey and grant such proportions of land, as, by our instructions and concessions, annexed to our commission, bearing date in October, Anno Dom. 1667, we have appointed, to such persons as shall come into our said county to plant or inhabit; to be held of us, our heirs and assigns, upon the same terms and conditions, that land is at present usually granted in Virginia; any thing in our instructions and concessions aforesaid to the contrary, notwithstanding. And we do hereby declare and consent, that the warrant to the surveyor for the laying out of said land, and the return thereon, being registered, and also the grant of you our said governor and council, that shall be where such land is due having the seal of the country affixed to it, and signed by yourself, and major part of our council, for the time being, being registered, shall be good and effectual in law, for the enjoyment of the said land or plantation, and all the benefits and profits of, and in the same, (except one half

of all gold and silver mines) to the party to whom it is granted, his heirs and assigns, for ever, he or they performing the conditions aforesaid.

Given under our hands, and great seal of our province,
the first of May, Anno Dom. 1668.

ALBEMARLE,
BERKELEY,
CARTERET,
CRAVEN,
ASHLEY,
COLLETON.

G.

PAGE 131.

Extract of the case of the commotions of Albemarle, presented by the proprietors to the committee of foreign plantations. Carolina paper.

“ Mr. Cartwright the governor returning to England left the government in ill order and worse hands. The proprietors resolved to send another governor, and such a one as would put in execution their instructions orders and designs; the former governors having very much failed them, especially in two points. The first was the encouraging the New England trade there; the second their discouraging the planting on the south side of the river Albemarle. The latter was extremely the interest of the proprietors; but crossed always by the governors and some of the chief of the country, who had engrossed the Indian trade and feared that it would be interrupted by those that should plant further amongst them. The illness of the harbor was the cause that the northern part of Carolina had no other vent for their commodities but either by Virginia, where they paid a duty to the governor, or to New England, who were the only immediate traders and ventured in small vessels and had so managed their affairs that they bought their goods at

very low rates, eat out and ruined the place, defrauding the king of his customs and yet governed the people against their own interest. To cure those evils the proprietors made choice of one Mr. Eastchurch to be their governor, whom we despatched in summer 1677 together with Mr. Miller, who was the king's officer and made by us one of our deputies. They took their passage to Nevis, where Mr. Eastchurch meeting with a woman of considerable fortune, married her, and sent away Mr. Miller to Carolina to settle affairs against his coming, who carried with him a commission as president of the council till his arrival, with very full powers. He was quietly received and submitted to as governor and collector.

In discharge of the last he made considerable progress. But as governor he did many very extravagant things, whereby he lost the affections of the people. In the mean time there arrived captain Gillam in a small armed vessel with G. Durant, and about the same time Culpepper, who finding that Miller had lost his interest, stirred up a commotion, seized him and all the writings belonging to the proprietaries and the tobacco belonging to the king's customs, which they employed in supporting their unlawful actions. Culpepper was a very ill man, having some time before fled from South Carolina, where he was in danger of hanging for endeavoring to set the poor people to plunder the rich. Gillam, he,

Crawford, and some other New England men had a design as we conceive to get the trade of this part of the country into their own hands, for some years at least; and not only defraud the king of all his customs but buy goods of the inhabitants at their own rates. When these men had formed themselves into what Culpepper calls a government of the county, Mr. Eastchurch arrives in Virginia, whose commission and authority they had not the least reason to dispute, yet they kept him out by force of arms, so that he was constrained to apply to the governor of Virginia for assistance to reduce them, but he unfortunately died. Presently after the insurgents sent two commissioners to promise all obedience to the proprietaries, but insisted very highly for right against Miller."

G. g.

Extract of a Representation presented to the Proprietaries. (Carolina papers.)

The rebellion of the inhabitants of Albemarle was not accidental, or arose from any sudden provocation, but rather was the effect of deliberate contrivance, which appears from these particulars that can be proved by undoubted witnesses. The heads of the rebellion, at several times, disturbed the courts of justice; subverting the government, dissolving parliament, their industrious labour to be popular, by continually making factions and parties; their poisoning the people's ears and disquieting their minds, by diffusing abroad dangerous and false reports, namely, that the proprietaries intended to raise the quit-rents to two-pence and from that to six-pence an acre; their generally arming upon the first appearance of Gillam's ship in Pasquetank river, and imprisoning the proprietaries' deputies, and putting the president in irons; their arrogating to themselves the supreme power, by first dissolving, then erecting courts of justice; by convening parliaments without writs, and by appointing all officers.

Report of the Lords of the Committee of Plantations.

May it please your Majesty,

In obedience to your majesty's order of council of the fourth instant, we have heard the complaint of the commissioners of the customs against John Culpepper; and being attended by the lords proprietaries of Carolina, we are fully satisfied, that the said John Culpepper hath by divers seditious practices abetted and encouraged a rebellion in that province, whereby seven of the lawful magistrates, deputies of the lords proprietaries, were all imprisoned, (the eighth of them only being drawn into that confederacy); and that the said John Culpepper, by color and force of that rebellious authority, imprisoned the collector of your majesty's customs; and having seized into his own hands the customs belonging to your majesty, did, by a proclamation in his own name, declare himself the lawful collector, endamaging your majesty's customs to a considerable value. All which being proved upon oath before us, the said Culpepper acknowledged the facts, and lays himself at your majesty's feet for your gracious pardon. And in case your majesty shall not think fit to extend your mercy towards him, he desires he may be tried in Carolina, where the fact was committed. But withal, the commissioners of your majesty's customs humbly beseech your majesty that no favor

may be shown him, unless he make or procure satisfaction for the customs seized and embezzled by him, which we are informed do amount to three thousand pounds sterling. All which &c.

LAUDERDALE.

&c. &c.

H.

PAGE 132.

Remonstrance of the inhabitants of Pasquetank to all the rest of the county of Albemarle. (Carolina paper.)

“First the occasion of their seizing the records and imprisoning the president, is, that thereby the country may have a free parliament, and that from them their grievances may be sent home to the lords, which are briefly these. In the first place (omitting many heinous matters,) he denied a free election of an assembly, and hath positively cheated the country of one hundred and thirty thousand pounds of tobacco, which hath raised the levy to two hundred and fifty pounds of tobacco a head more than otherwise it would have been; beside near twenty thousand pound of tobacco charge he hath brought upon us by his piping guard. And now captain Gillam is come among us with three times the goods he brought last year, but had not been two hours ashore, but for the slip of a word was arrested for one thousand pounds sterling, and many affronts and indignities put upon him by the president himself; insomuch that had he not been earnestly persuaded by some he had gone directly out of the country. And the same night about midnight, he went on board with a brace of pistols, and presenting one of them

cocked at Mr. George Durant's breast, and with his other arrested him as a traitor. And many other injurious mischiefs and grievances he hath brought upon us, that thereby an inevitable ruin is coming, unless prevented, which we are now about to do and hope and expect that you will join with us therein. And subscribed this third December 1677.

Signed by thirty-four persons.

I.

PAGE 144.

Extracted from the docket of the general court of the county of Albemarle.

November twenty-eighth, 1694, at a general court:
Present Thomas Harvey, deputy governor, &c.

"A list of tithables being brought in, and being 789, the court assessed five shillings per poll on all the tithables, according to act of assembly, to raise 195*l*. 11*s*. 10*d*."

K.

PAGE 145.

February 26th, 1694.

“John Porter, jun. made oath, that at his father’s house last November, governor Sothel promised Francis Tomes, the attorney of Elizabeth Banks, that he would account to her, or her brother, for some narrow lace and two guineas that he took out of a box entrusted to his care by her brother in London, to be delivered to her in Carolina.”

K. k.

PAGE 153.

The humble address and recognition of thanks by the commons, assembled in Charlestown, to the right honorable the true and absolute lords proprietors, and to the right honorable John Archdale, esq. governor of Carolina.

Right honorable,

We, the representatives of the freemen of South Carolina, being profoundly sensible of your most gracious inclinations, condescensions and honors, in commis-

sionating and investing the right honorable John Archdale esq. governor, with such large and ample powers, for the encouragement of us the inhabitants of this your colony, which was so highly conducing to the peopling, settling and safety thereof, do most humbly recognise and most sincerely and cordially thank your lordship for the same, and for the remission of some arrears of rents, the undeniable manifestation of your honor's paternal care of us, living in this your colony; and we the commons now assembled, no less sensible of the prudent, industrious and indefatigable care and management of the said powers by John Archdale esquire, do in most humble manner acknowledge the same, and that we doubt not but the fruits thereof will be the peace, welfare and tranquillity, plenty, prosperity and safety, of this colony and the people therein. For the acts of grace you so seasonably condescended unto, have removed all former doubts, jealousies and discouragements of us the people; and have laid a firm and sure foundation on which may be erected a most glorious superstructure, to the honor of the lords proprietors, and you our governor; which we do and shall for ever be most heartily obliged to own as a production of the wisdom and discretion, patience and labor, of the honorable John Archdale esq. our governor, of whom we the commons request to return this our recognition of thanks to your lordships, and we shall humbly pray.

JONATHAN AMORY, Speaker.

K. k. 2.

PAGE 154.

A clause in the Militia Act.

“And whereas there be several inhabitants called Quakers, who upon a conscientious principle of religion, cannot bear arms, and because in all other civil matters they have been persons obedient to government, and ever ready to disburse their moneys in other necessary and public duties: Be it therefore enacted, that all such whom the present governor John Archdale esq. shall judge that they refuse to bear arms on a conscientious principle of religion only, shall by a certificate from him be excused.”

L.

PAGE 172.

*Extract from governor Spotswood's letters, 28th July
1711.*

“I must do justice to Mr. Hyde and the gentlemen who act as his council, to represent to your lordships, their readiness to submit all matters in dispute to an impartial examination, and to yield to any terms that

were just and honorable; but I found a quite different spirit in Mr. Cary and his associates, who would not so much as agree to a place where Mr. Hyde might safely confer personally; and at last rejected all offers of mediation."

—— "Mr. Hyde was willing to yield to as many of his demands as he had thought fit to communicate."

M.

PAGE 174.

Extract from governor Spotswood's letters.

"No man has appeared more active in these commotions than this Roach, a wretched fellow, who being sent in lately with a cargo of goods, belonging to some merchants in London, no sooner came into the country but he declared himself against the government, without examining which side was in the wrong, and has been all along a principal incendiary; and had it not been for his furnishing the mob with trading guns and ammunition, belonging to his employers, the commotions would never have got to the head they now are arrived at."

N.

PAGE 176.

Extract from governor Spotswood's letters.

"Requolan, 31 July, 1711.

"The marines are returned, after having frightened the rebellious party so as to lay down their arms and disperse."

"Upon my arrival at this place I found colonel Cary, Levi Truit, &c. blustering and pretending to have taken a passage in the fleet for their going for England in order to justify their actions. Whereupon I had them brought before me, but plainly discovered that they intended nothing less than a fair trial at your lordships' board. Wherefore, seeing they would give me no security for such appearance, I have sent them home in the Reserve and Tyger men of war; believing the greatest justice I can do them is to leave them to your lordships' examination."

O.

PAGE 184.

Articles of agreement, indented and made, published and agreed upon, this tenth day of October Anno Domini one thousand seven hundred and nine, and in the eighth year of the reign of our sovereign lady Anne, by the grace of God queen of Great Britain, France and Ireland, defender of the faith, between Christopher de Graffenrid of London esquire and Lewis Mitchell of the same place esquire of the one part, and sir John Philips bart. sir Alexander Cairnes bart. sir Theodore Janson knt. White Kennet D. D. and dean of Peterborough, John Chamberlain esquire, Frederick Store doctor of physic, and Mr. Micajah Perry merchant, seven of the commissioners and trustees nominated and appointed by her majesty's late gracious letters patent, under the great seal of Great Britain, for the collecting, receiving, and disposing of the money to be collected for the subsistence and settlement of the poor Palatines lately arrived in Great Britain, on the other part.

Whereas, the above named Christopher de Graffenrid and Lewis Mitchell have purchased to themselves and their heirs in fee, and are entitled to a large tract of land in that part of her majesty's dominions in America cal-

led North Carolina, which now lies waste and uncultivated for want of inhabitants; and they the said Christopher de Graffenrid and Lewis Mitchell have applied themselves to the commissioners appointed by the letters patent above mentioned for the subsistence and settlement of the poor distressed Palatines, that some number of the said poor Palatines may be disposed of and settled in the said tract of land in North Carolina aforesaid, as well for the benefit of the said Christopher de Graffenrid and Lewis Mitchell as for the relief and support of the said poor Palatines.

And whereas, the said commissioners have thought fit to dispose of for this purpose six hundred persons of the said Palatines, which may be ninety-two families more or less, and have laid out and disposed of to each of the said six hundred poor Palatines the sum of twenty shillings in clothes, and have likewise paid and secured to be paid to the said Christopher de Graffenrid and Lewis Mitchell the sum of five pounds ten shillings lawful money of Great Britain for each of the said six hundred persons, in consideration of and for their transportation into North Carolina aforesaid, and for their comfortable settlement there.

It is constituted, concluded and agreed, by and with the said parties to those presents in manner following:

In primis, that the said Christopher de Graffenrid and Lewis Mitchell, for the consideration aforesaid, at their own proper costs and charges shall, within the year — next after the date hereof, embark or cause to be embarked on ships board, in and upon two several ships, six hundred of such of the said poor Palatines as shall be directed by the said commissioners, which together may in all make up ninety-two families more or less, and cause the said persons to be directly transported to North Carolina aforesaid, providing them with food and other necessaries during their voyage thither.

Item, that upon the arrival of the said six hundred poor Palatines in North Carolina aforesaid, the said Christopher de Graffenrid and Lewis Mitchell shall, within three months next after their said arrival there, survey and set out or cause to be surveyed and set out, by metes and bounds, so much of the said tract of land above mentioned as shall amount to two hundred and fifty acres for each family of the said six hundred poor Palatines, be they ninety-two families more or less; and that the said several two hundred and fifty acres for each family be as contiguous as may be for the more mutual love and assistance of the said poor Palatines one to another, as well with respect to the exercise of their religion as the management of their temporal affairs.

And for avoiding disputes and contentions among the said Palatines in the division of the said several two

hundred and fifty acres of land, It is agreed, that the said land, when so set out by two hundred and fifty acres to a family, be divided to each family by lot.

Item, that the said Christopher de Graffenrid and Lewis Mitchell, their heirs executors or administrators, within three months next after the arrival of the said poor Palatines in North Carolina aforesaid, shall give and dispose of unto the said poor Palatines and to each family, by lot, two hundred and fifty acres of the tract of land above mentioned, and by good assurances in law grant and convey the said several two hundred and fifty acres to the first and chief person or persons of each family their heirs and assigns for ever: to be held the first five years thereafter without any acknowledgment for the same, and rendering and paying unto the said Christopher de Graffenrid and Lewis Mitchell, their heirs executors and administrators, for every acre the sum of two-pence lawful money of that country yearly and every year after the said term of five years.

Item, that for and during one whole year after the arrival of the said poor Palatines in North Carolina aforesaid, the said Christopher de Graffenrid and Lewis Mitchell shall provide, or cause to be provided for, and deliver to the said poor Palatines sufficient quantities of grain and provision and other things for the comfortable support of life; but it is agreed, that the said poor Pala-

tines respectively shall repay and satisfy the said Christopher de Graffenrid and Lewis Mitchell, their heirs, executors and administrators, for the full value of what they shall respectively receive on the amount at the end of the first year then next after.

Item, that the said Christopher de Graffenrid and Lewis Mitchell, at their own proper costs and charges, within four months after their arrival there, shall provide for the said Palatines and give and deliver or cause to be given or delivered to them, for their use and improvement, two cows and two calves, five sows with their several young, two ewe sheep and two lambs, with a male of each kind, who may be able to propagate; that at the expiration of seven years thereafter each family shall return to the said Christopher de Graffenrid and Lewis Mitchell, their heirs or executors, the value of the said cattle so delivered to them, with a moiety of the stock then remaining in their hands at the expiration of the said seven years.

Item, that immediately after the division of the said two hundred and fifty acres among the families of the said Palatines, the said Christopher de Graffenrid and Lewis Mitchell shall give and dispose of gratis to each of the said Palatines a sufficient number of tools and implements for felling of wood and building of houses, &c.

And lastly, it is covenanted, constituted and agreed, by and between all parties to these presents, that these articles shall be taken and construed in the most favorable sense for the ease comfort and advantage of the said poor Palatines intending to settle in the country or province of North Carolina; that the said poor Palatines, doing and performing what is intended by these presents to be done on their parts, shall have and enjoy the benefits and advantages hereof without any further or other demand of and from the said Christopher de Graffenrid and Lewis Mitchell, their heirs executors or administrators or any of them; and that in case of difficulty it shall be referred to the governor of the county or province of North Carolina, for the time being, whose order and directions, not contrary to the intentions of these presents, shall be binding upon the said Christopher de Graffenrid and Lewis Mitchell, his heirs executors and administrators, as to the said poor Palatines.

WITNESS whereof the said parties to these presents have interchangeably set their hands and seals the day above written.

JOHN PHILIPS, (L. S.)

ALEXR. CAIRNES, (L. S.)

WHITE KENNET, (L. S.)

JOHN CHAMBERLAIN, (L. S.)

FREDERICK SLORE, (L. S.)

MICAJAH PERRY. (L. S.)

Sealed and delivered by the within named sir John Philips, Alexander Cairnes, White Kennet, John Chamberlain, Frederick Slore, Micajah Perry, having two six penny stamps.

In presence of us

WILLIAM TAYLOR,

JAMES DE PRATT.

We the within named Christopher de Graffenried and Lewis Michell, for ourselves, our heirs, executors and administrators, do hereby covenant and agree to and with the commissioners and trustees within written, for and upon the like consideration mentioned, to take and receive fifty other persons in families of the poor Palatines, to be disposed of in like manner as the six hundred poor Palatines within specified, and to have and receive the like grants, privileges, benefits and advantages as the said six hundred Palatines have, may or ought to have, in every article and clause within written, and as if the said fifty Palatines had been comprised therein, or the said articles, clauses and agreements had been here again particularly repeated and recited on to them.

WITNESS our hands and seals, this 21st day of October, A. D. 1709.

CHRISTOPHER DE GRAFFENRIED,
LEWIS MICHELL.

Sealed and delivered this agreement,
in the presence of

WILLIAM TAYLOR,

JAMES DE PRATT.

P.

PAGE 189.

The Indians in North Carolina in the year 1708, who lived near the settlements, or had any intercourse with the white inhabitants, were as follows, viz:

Tuskarora Indians, fensible men, - - - - 1200

(They lived in fifteen towns.)

Waccon, (in two towns) - - - - - 120

Maramiskeet, - - - - - 30

Bear River, - - - - - 50

Hatteras, - - - - - 16

Neus, (in two towns) - - - - - 15

Pamticough, - - - - - 15

Meherring, - - - - - 50

Chowan, - - - - - 15

Paspatank, - - - - - 10

Poteskeet, (Currituck) - - - - - 30

Nottoway, - - - - - 30

Connamox, (in two towns) - - - - - 25

Jaupim, - - - - - 2

1608

Q.

PAGE 192.

Extract of a letter from Baron de Graffenried to Edward Hyde, Esq. Governor of North Carolina.

“ I have many things to relate to you, but for want of time must delay them to a future day. At present I shall only inform you of the fate of Mr. Lawson the surveyor general. We had both taken to my boat on the New* River in order to discover what kind of land there was further on, and what distance any one might go on the same. To this I had the more readily consented, as Mr. Lawson had assured me that the country on this side was not inhabited. But when we arrived at Corutra, a village about twelve miles by water from the town of Coram, with an intention to tarry there all night, we met with two Indians, whom presently after a great number joined, and who were armed. I told Mr. Lawson that I did not like the appearances, and that we ought immediately to proceed on, which we accordingly did; but no sooner had we arrived at our boat, such a number of Indians pressed upon us, that it was impossible for us to keep them off. They took our arms, provision and all we had. There were upwards of sixty In-

* He must have intended Neus River.

dians all well armed, who compelled us to travel with them all night, and until we arrived at an Indian village, a considerable distance from the river, where we were delivered up to the king (or chief) of the village or town. He called a council, at which one of the Indians delivered a long speech with great vehemence, whereupon a question was put whether we should be bound, which was passed in the negative, and the reason given was, because we had not yet been permitted to make our defence. The next morning we desired to know what they intended to do with us; their answer was that the king (or chief) would that evening have a number of other kings at an entertainment, who must also be present at our examination, after which they would come to a decision. In the evening upwards of two hundred were collected, from which number about forty got together who were considered as chiefs of the people. Before these we were examined very strictly concerning our intention and why we had come hither. Our answer was, that we were endeavouring to find out a shorter and better road to Virginia, because the other road from our settlement was a very bad and difficult one, and that for that reason the Indians from thence could not as conveniently trade with us. Whereupon the Indians complained very much of the conduct of the English colonies in Carolina, and particularly named Mr. Lawson, charging him with being too severe, and that he was the man who sold their land. They also

said that Mr. Hancock had taken a gun from an Indian, and that Mr. Price also dealt too hard with the Indians. Nevertheless, they would consent to our being set at liberty and that we should return home on the day following. The next morning we were again examined, and we returned the same answer; but one Cor Thom being present, whom Mr. Lawson reprimanded for sundry things which had happened, gave a very unfavourable turn to our affairs. After the council had broke up and the major part of the Indians had gone off, Mr. Lawson and myself were talking together on indifferent subjects, an Indian who understood a little English informed the remaining Indians that we had spoken very disrespectfully of them, which however was totally groundless. Whereupon three or four of them fell on us in a furious manner, took us by the arms and forced us to set down on the ground before the whole of them that were then collected. They instantly took off our wigs and threw them into the fire and we were at once condemned to death. Mr. Lawson indeed was sentenced to have his throat cut with his own razor, and I was to be put to death in another manner. On the day following we were taken to the great place of execution, where we were again tied and compelled to sit on the ground, being stripped of our surtouts. Before us a large fire was kindled, whilst some of them acted the part of conjurers, and others made a ring around us which they strewed with flowers. Behind us lay my innocent negro,

who was also bound, and in this miserable situation we remained that day and the subsequent night. On the morning of the next day at which we were to die, a large multitude was collected to see the execution. Behind us there was an armed party who acted as a guard, and around us sat the chiefs in two rows; behind them were the common people amounting to upwards of three hundred in number, who were jumping and dancing like so many devils, and cutting a variety of infernal and obscene capers. There were also present two executioners of wild and terrible aspect and two drummers. The council again deliberated in order to put an end to this dismal tragedy. I recommended my soul to my saviour Christ Jesus, and my thoughts were wholly employed with death. At length however I recollected myself, and turning to the council or chiefs, asked them, whether no mercy could be shown to the innocent, and with what propriety they could put to death a king (for the Indians call a governor a king) and I was king of the Palatines. Thus God in his mercy heard my prayers and softened the hard hearts of the savages that they after much talk from an honest Indian altered my sentence of death as will appear from the treaty of peace. I was a short time before Mr. Lawson's execution set at liberty and afterwards conducted to the house of the Indian who had interested himself and spoken so much in my behalf, but my negro also suffered. I remained in captivity until the Sunday following when I was brought

on horseback to Cor. From thence I had to foot it as above related. I should be very glad to have some conversation with you on this subject and to consider what measures ought to be taken against those people; but that must be deferred for the present. I shall however write more fully to you on the subject.

Treaty of peace, October 1711, between baron de Graffenried governor of the Palatines and the Tuscarora Indians, together with their neighbors in the town of Cor.

1. To show friendship towards each other.
2. In case of war between the English and the Indians, the Palatines to remain neutral.
3. No land to be taken up from (or by) the baron without the consent of the Indians.
4. A cessation of arms between the English and the Indians agreed upon for the term of fourteen days.
5. Assurance of full freedom to hunt in the open country.
6. A commercial treaty, so that justice may be done the Indians in the trade carried on with them.
7. As the two following signals are now found no injury shall be done by the Indians.

Neus's mark (X) { Graffenried governor of the Palatines.

Tuscarora mark (S) { Tuscarora Indians and neighbors.

N. B. The seventh article of this treaty is not intelligible as the baron wrote it.

In a subsequent letter to a friend in Germany dated fourth January 1712, in which baron Graffenried speaks of Indian customs, he says that he remained five weeks among the Indians. And the Palatines in a subsequent petition to the king allege that they were called out to defend the country by orders from Edenton while their trustee, Graffenried, was prisoner among the Indians.

The remains of the Palatine emigrants who signed that petition were;

Pheneyner,	Rimer,	Pillman,
Eslar,	Market,	Shelfer,
Grum,	Kinsey,	Gesibel,
Ender,	Kehler,	Granade,
Pugar,	Wallis,	Reasonover,
Sneidar,	Genest,	Hubbach,
Renege,	Miller,	Baver,
Garter,	Risheed,	Omend,
Buset,	Walker,	Lots,
Moor,	Tetchey,	Simons,
Eiback,	Huber,	Riser,
Morris,	Wolf,	Reyert.

Q. q.

PAGE 204.

*Extract from the Journals of the Council, 25th June,
1713.*

“ The president reported to the board, that king Blount had brought in eight men of the enemy Indians, whom he was willing to ship in his vessel that was bound for the West Indies, and account for the price at which they might be sold.”

“ On which it was resolved, that he might have the eight Indians at ten pounds per head, at which price he took them.”

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END OF VOL. I.









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