

SECTION II

THE REVOLUTIONARY PERIOD, OR GEORGIA IN THE STRUG-
GLE FOR INDEPENDENCE. 1775-1789.

CHAPTER I

FOLLOWING THE BATTLE OF LEXINGTON, GEORGIA'S FIRST SECESSION CONVENTION MEETS IN SAVANNAH, JULY 4, 1775—ARCHIBALD BULLOCH IN THE CHAIR—GEORGE WALTON AT THE SECRETARY'S DESK—DELEGATES CHOSEN TO CONTINENTAL CONGRESS—TONDEE'S TAVERN—EVENTS NARRATED IN THE LAST CHAPTER AGAIN RECITED BY WAY OF RECAPITULATION—JONATHAN BRYAN—NOBLE WYMBERLEY JONES—THE COMMITTEE OF SAFETY—CONSERVATISM MARKS THE PROVINCIAL CONGRESS OF JULY 27, 1774—BUT THE ADJOURNED MEETING ON AUGUST 10TH ELECTS DELEGATES TO THE CONTINENTAL CONGRESS—DUE TO A MINORITY REPRESENTATION OF THE PARISHES, THESE DO NOT REPAIR TO PHILADELPHIA, BUT ADDRESS A LETTER TO JOHN HANCOCK—DR. LYMAN HALL IS SENT BY THE SINGLE PARISH OF ST. JOHN TO THE CONTINENTAL CONGRESS—THIS PARISH AFTERWARDS ORGANIZED INTO THE COUNTY OF LIBERTY—ON MAY 11, 1775, WHEN NEWS OF THE BATTLE OF LEXINGTON REACHES SAVANNAH, A RAID IS MADE ON THE POWDER MAGAZINE—SOME OF THIS POWDER USED AT THE BATTLE OF BUNKER HILL—AT THIS CRISIS, GEORGIA'S FIRST SECESSION CONVENTION MEETS AS ABOVE INDICATED—ALL THE PARISHES REPRESENTED—DELEGATES CHOSEN TO THE CONTINENTAL CONGRESS—THE EXECUTIVE COUNCIL IN CONTROL—OLIVER BOWEN AND JOSEPH HABERSHAM PUT IN COMMAND OF THE FIRST NAVAL VESSEL COMMISSIONED IN THE REVOLUTION—CAPTURE 9,000 POUNDS OF POWDER—THE FIRST PRIZE OF WAR—GEORGIA EQUIPS A BATTALLION WITH LACHLAN MCINTOSH AS COLONEL—THE ARREST OF GOVERNOR WRIGHT—HOW THE DECLARATION OF INDEPENDENCE WAS RECEIVED IN GEORGIA—DEATH OF ARCHIBALD BULLOCH—WHILE PRESIDENT OF THE EXECUTIVE COUNCIL HE BECOMES THE FIRST DE FACTO HEAD OF THE NEW STATE—READS THE DECLARATION OF INDEPENDENCE TO THE ASSEMBLED POPULACE IN SAVANNAH.

NOTES: GEORGIA'S FIRST SECESSION CONVENTION—GUNPOWDER FOR BUNKER HILL—GEORGIA COMMISSIONS THE FIRST WARSHIP—THE FIRST CAPTURE OF THE REVOLUTION—TONDEE'S TAVERN.

Soon after the news of the battle of Lexington, traveling by slow stages, reached the lower spurs of the Appalachian chain of mountains and spread toward the Southeast, Georgia's first secession convention was held at Tondee's Tavern, in Savannah, on July 4, 1775, exactly one year to the hour before the Declaration of Independence was signed at Philadelphia.

Archibald Bulloch was called to the chair and George Walton was stationed at the secretary's desk. These were two of the boldest Liberty

Boys in the colony; and the unanimous vote by which they were summoned to official positions in the historic assembly served to foreshadow the radical action which was about to be taken by the determined body of patriots. Seized with alarm, the loyalists sought to disguise the fears which they secretly entertained by ridiculing the quarters in which the convention met. "Can anything good come out of Nazareth?" was asked in the mildewed accents of an old sneer. But Tondee's Tavern was not an inappropriate birthplace for the cause of liberty; and it was not the first time in the history of the world that an humble wayside inn was called upon to furnish the rude cradle of emancipation.

Laughter is sometimes premature; and, though Rome was once saved by the cackling of Juno's geese, it was not decreed that Georgia should be kept within the British allegiance by the same musical notes. The loyalists could well afford to employ mild explosives until the real cannonade commenced. Further down the road lurked heaviness of spirit; and before Yorktown sealed eventually the bloody volume which Lexington opened many an ounce of vermillion was destined to redden the king's highway and many an anxious sigh was fated to fill the Tory lungs which were then seeking by forced mirth to drown the young voice of Yankee Doodle.

Georgia until now had been conservative. Perhaps, of all the original thirteen colonies, she had been the favorite of the mother-country: an affectionate distinction quite often conferred upon the youngest member of the household. Yet, it could not be said that Georgia was less ardently devoted to the cause of liberty than was either Virginia or Massachusetts. The very charter of the colony committed her to the love of freedom by making her an asylum for indigent but honest prisoners for debt. She cherished the traditions of Runnymede; and she lacked neither the bold initiative nor the patriotic fearlessness which was needed for the approaching crisis.

But there were good reasons for tempering the rash counsels of impatience with the prudent safeguards of conservatism. Under the original charter, Georgia, for twenty-one years, had been faithfully served by the old trustees, without fee or emolument; and some of them were still in life, including the illustrious founder of the colony, General Oglethorpe. She bore the Teutonic name of the Brunswick house and she felt constrained by the obligations of the baptismal vow to respect the scepter of the Georges. Moreover, she had been peculiarly fortunate in most of her dealings with the British Crown. Prosperity had filled the coffers of the thrifty merchants and enlarged the smokehouses and the corncribs of the industrious planters; immigration had commenced to pour into the fertile lowlands from the other colonies; and she had experienced none of the ill-usage which nurtures the spirit of discontent. Governor Reynolds, though dominated by an infamous secretary, was not himself an unworthy man. His faults lay chiefly in sins of omission. Governor Ellis, in his watchful care of the province, had set a standard which his successor, Governor Wright, was zealous to equal, but could not hope to surpass. Indeed, until the passage of the obnoxious Stamp Act, the royal governor was well beloved by the people of Georgia; and even then it was freely admitted that the zeal of the old royalist was not inspired by unfriendliness toward the colonial aspirations, but

was born of fidelity to the Crown interests of the realm. Such considerations served to keep Georgia in the loyal ranks, though twelve colonies were represented in the Continental Congress at Philadelphia and were inclined to shoot reproachful glances toward the loyal province which, solitary and alone, still floated the English colors.

Nevertheless, when the news of the battle of Lexington summoned the patriots together at Tondee's Tavern, the fighting blood of the colony was at last aroused. Delegates were chosen to the Continental Congress; an executive council was named to direct the affairs of the colony in the pending crisis, and other radical measures were adopted indicative of the change of mind which had come over the youngest of the colonial group. True to the filial instinct of allegiance, the convention, before adjourning, petitioned the king once more to heed the protest of the aggrieved colonies; and, even with the Macedonian cry from the New England hills ringing in the ears of the defiant patriots, the way was paved for returning, in the course of time, to the ancient shelter of the Crown. But the olive branch was rejected. The issue of grim battle was joined, and the bloody grapple was soon to commence. Though it was not an act of formal separation from the mother country, it virtually slipped the bonds of allegiance and committed Georgia to the great revolt, whose opening challenge was the Declaration of Independence and whose culminating scene was the surrender at Yorktown.

Despite the conservatism which delayed the action of Georgia, it must not be supposed that there was any prevalence of apathy within the province toward the unjust impositions of the British Parliament. On the contrary, it was maintained that an imperial tax upon the colonies without voice in the home councils was most unjust; and formal protest was made in London through Benjamin Franklin. The passage of the Stamp Act provoked universal indignation. Governor Wright's life was threatened; and James Habersham, president of the King's Council, was actually waylaid and forced to seek shelter behind the royal guns. On the anniversary of the king's accession to the throne, the Liberty Boys took possession of the streets of Savannah, perverting the governor's proclamation into an opportunity for burning in effigy some of the king's representatives; and no stamps were used in Georgia, under the Act of 1765, except such as were needed to clear the vessels which left the harbor of Savannah and which were liable to seizure upon the high seas, if unable to produce certificates.

Of course the repeal of the Stamp Act temporarily improved the situation. But the fires were only smoldering; and, when Governor Wright, who thought it wise to keep an armed force at the executive elbow, made requisition upon the Provincial Assembly for supplies, under the provisions of the mutiny bill, the sleeping spirit of resistance was once more in flames. If England was determined to employ force, some of the patriotic lawmakers at least were resolved that Georgia should not pay for the luxury of being coerced into submission; and the Lower refused to join the Upper House in voting the appropriation.

To explain the terms used, the Lower House was the popular branch or House of Commons, whose members were elected by the people; while the Upper House was the King's Council or House of Lords, whose vacancies were filled by royal appointment. Naturally the former, being

in touch with the masses, was inclined to be radical; and Governor Wright, like old King Charles, spent more than one sleepless night in grieving over the stubbornness of the Commons. To show the strong feeling of discontent which prevailed in Georgia in consequence of the colonial policy of Great Britain, the Legislature was not in session when the Massachusetts circular addressed to the Provincial Assemblies of America, advising union against the oppressive acts of Parliament, was received; but ex-Speaker Alexander Wyly, who afterwards became an avowed Tory on the issue of separation, undertook to answer the letter in sympathetic terms.

However, under the speakership of Dr. Noble W. Jones, the Lower House took an aggressive stand, which greatly angered Governor Wright. Certain communications from other colonies were spread upon the minutes and strong resolutions of endorsement were adopted. Governor Wright was anxious to conciliate the Liberty Boys because he knew that republican sentiment was growing in the colony, but one issue succeeded another until finally, in sheer desperation, he was compelled to exercise the royal prerogative of dissolution.

Nothing of special interest now occurred until developments at last brought to the front an intrepid old patriot who was marked to become the first victim of political persecution in Georgia: Jonathan Bryan. It did not occur to the royal governor when he dissolved the Lower House that trouble might be brewing in the King's Council. He took it for granted that the sober-minded old men who sat in the upper chamber were too well inoculated with the royal virus to become infected by the heretical epidemic. But he was destined to be regaled with an unexpected dish.

In repealing the iniquitous Stamp Act the British Parliament had not relinquished the right to tax the colonies; and in 1768 various articles of merchandise were subjected to burdensome duties. The people of Savannah, in mass meeting assembled, agreed to use none of the articles upon which the tax was levied. Jonathan Bryan presided over the gathering; and the spectacle which he presented was somewhat anomalous. He was an old man whose locks were snowy white; and, at this time, the fires of liberty burned chiefly in the veins of the ardent youth of the province. Besides possessing large meads, he also belonged to the King's Council; and, if most of the graybeards were disposed to be conservative by reason of the frosty touch of age, this proneness to submit to the oppressive yoke was doubly true of the grave elders whose enjoyment of the royal dispensations made them lean unconsciously toward the golden circlet.

But there was no unction in the speech and no charm of magic in the gift of sovereigns to flatter this old patriarch of liberty. Bent though he was with age, he was yet ablaze with zeal in the sacred cause of freedom. He dared to protest against the British exactions. Consequently, orders soon came from London commanding the old man's suspension; and Jonathan Bryan quit the King's Council. Time went on. Eventually he was restored to favor; but again he incurred the royal displeasure. He was present at the meeting held in Savannah to protest against the passage of the Boston Port Bill and to raise funds for the sufferers. It put the offender beyond the pale of forgiveness, in

the eyes of the graybeards whose legs were crossed under the king's mahogany, and as soon as Governor Wright called the council together some one moved to expel Mr. Bryan. The old man arose.

"If such is the feeling which the council entertains," said he, "I will retire at once. It is unnecessary to put the motion."

Thereupon he withdrew to engage no more in the service of King George.

Included among the heirlooms of the Bryan family in Georgia, there is still preserved an old silver piece of priceless value inscribed to the sturdy patriot for espousing the liberties of the people of Georgia at the sacrifice of high official position. Joseph Bryan, the father of the old patriot, was living in South Carolina when General Oglethorpe landed on the bluffs of the Savannah River; and, being in sympathy with the philanthropic spirit of the colonial enterprise, he crossed over into Georgia and helped to clear the wilderness in which the colony was planted. He then returned to South Carolina. But Jonathan Bryan, when he was old enough to shift for himself, came to Georgia to live. Joseph Bryan, his son, afterwards represented Georgia in the United States Senate, and his descendants are still numbered among the best citizens of the state.

Though past the patriarchal limit of years at the time of the Revolutionary outbreak, Mr. Bryan participated in the defense of Georgia soil; and, upon the fall of Savannah, was captured, sent to New York and imprisoned on Long Island. The circumstances of the old man's arrest are too interesting to be omitted. Three nights after the reduction of Savannah, a party of armed men were secretly dispatched from the Phoenix, a man-of-war lying in the harbor, and given instructions to take the old man a prisoner. He was supposed to have sought refuge on his plantation across the Savannah River, and the arresting officers, moving stealthily up Union Creek, under cover of darkness, found him at the place indicated, and with his son, James, placed him on board one of the prison ships.

In vain his daughter, Mrs. Morel, sued for the release of her aged father. She even went down on her knees, it is said, to the British commander. But Commodore Hyde Parker was obdurate. The old man had been too great an offender against the British Crown. Consequently, feeble though he was with advanced years, Mr. Bryan was sent North; and, after being transferred from one prison ship to another, he was eventually incarcerated on Long Island. However, an exchange was effected in the course of time, and, returning home, he survived the Revolution, witnessed the adoption of the Federal Constitution, and died in 1788: Georgia's Pylean-Nestor of Independence.

Another conspicuous landmark among the early patriots whose name must now be mentioned again was Noble Wymberley Jones. He was the son of Noble Jones, one of the pioneer settlers who came to Georgia with the illustrious founder; and, although the elder Jones at an advanced age still held the office of colonial treasurer and espoused the king's side to the very last, the younger Jones was an uncompromising Whig. The first of Georgia's long line of patriotic physicians, Dr. Jones had for

some time been prominent in the Lower House; and Governor Wright, in reporting to the London authorities, had complained of the obstreperous rebel. In 1768 he had been elected speaker; but when, in 1770, he was re-elected, Governor Wright refused to sanction the choice and ordered another ballot.

However, instead of obeying the executive behest, the House passed resolutions commending Dr. Jones for the courageous stand which he had taken in support of the people against the Crown. Moreover, it declared that the sentiment of approbation which was entertained for the speaker could not be lessened by any slight which might be put upon him in opposition to the unanimous voice of the Commons. The answer of Governor Wright was an act dissolving the House.

Matters stood still for some time; and Governor Wright, taking advantage of the lull, sailed for England, leaving a Georgian in charge of the colony. James Habersham, who, to quote the language which he used in writing to the Earl of Hillsboro, was no Liberty Boy. Mr. Habersham was president of the King's Council; and, though he shared to some extent the popular feeling, he felt constrained to act as an oath-bound officer of the Crown. Again the Lower House met and twice elected Dr. Jones, only to have its action vetoed by the lieutenant-governor, who had received positive instructions from the king. Thereupon, Dr. Jones stepped aside, and Archibald Bulloch was elected. This was substituting a Roland for an Oliver; but the House having receded, the election was approved. However, on looking over the minutes, Mr. Habersham observed discourteous items and frictional irritation followed which caused him to dissolve the House. At this stage Governor Wright returned, decorated with baronial titles. But he found that the cause of the king had not suffered from any lack of loyalty on the part of James Habersham.

This faithful old servitor of the Crown came to Georgia to aid Whitefield in the work of the Orphan Asylum at Bethesda, and in time succeeded the great divine in control of the enterprise. Later he engaged in business activities and established the first large commercial house in Savannah. He died in 1775, leaving two sons, John and Joseph, both of whom were among the boldest of the whigs. Dr. James Habersham, whose name also appears in the Revolutionary lists, was another son.

Dr. Jones continued to be an active worker in the patriotic ranks, despite the loss of the speaker's gavel and the parental admonitions of an aggrieved sire. He was subsequently included among the bold whigs whose names were attached to the calls for the first provincial meetings in the interest of liberty, and he was also chosen on the first delegation to represent Georgia in the Continental Congress, but, on account of the illness of his father, who at the time was lying at the point of death, he was detained at home. An uncompromising patriot, he possessed abilities which gave him an influence of unusual character and extent; and, in view of the courageous stand which he took in the forefront of what was undoubtedly at the start an unpopular movement in the youngest of the royal colonies, he well deserved the poetic sobriquet which, reaching back to the earliest gray dawn of liberty in Georgia, describes him as one of the morning stars.

Notwithstanding the frequent and emphatic protests of the bold patriots of Georgia against the arbitrary course of the British Crown, there was little talk of actual separation and little desire for anything beyond mere redress of grievances, except on the part of some few violent extremists, until Parliament passed the Boston Port Bill in 1774. This was, perhaps, the most drastic measure enacted by the London lawmakers to punish the rebellious colonies; but, to make matters still worse, Parliament revoked the charter of Massachusetts and required all persons charged with crime to be sent to England for trial. Though the heaviest suffering was entailed upon New England, whose commerce it suspended, the other colonies were given due warning of what they, too, might expect; but the harsh legislation also served to develop a sense of kinship which separate colonial charters, rival interests, and inadequate facilities of travel, had tended to obscure.

What called for the Boston Port Bill was the famous episode of the tea chests. While the imperial tax now rested only upon tea, the Puritan colonists of New England were determined to eliminate the beverage from the bill of fare, until the oppressive duty should be removed; and only the most pronounced Tory deigned to moisten his throat with the forbidden liquid. The story of the Boston tea party is one of the familiar classics of American history. To the youthful imagination it rivals the legends of the adventurous Spaniards, DeSoto and Ponce de Leon; and the youngest child in the nursery can prate of the bold men who, in the guise of Indians, went on shipboard and plunged the outlawed merchandise into the sea. This provoked the retaliatory act, which was designed to close the Boston harbor; but, instead of reducing the indignant patriots to submission, it fired the whole Atlantic seaboard into grim resistance and foreshadowed the banners of the Continental army under George Washington.

Even the loyal colony of Georgia felt the tie of allegiance yield; and nothing except the most persistent efforts on the part of Governor Wright prevented the province from sending delegates to Philadelphia. On July 20, 1774, there appeared in the Georgia Gazette a call for the patriots to meet in Savannah for the purpose of taking radical action; and the stout Whigs who sounded this earnest bugle-note were Noble W. Jones, Archibald Bulloch, John Houstoun and John Walton, the signer's brother. Pursuant to this call, the patriots met at Tondee's Tavern on July 27th following and John Glen, the chief justice of the colony, presided. To give some idea as to who the early patriots were, the following committee of thirty-one, which includes the colonial ancestors of many present-day Georgians, was appointed to report resolutions: John Glen, Joseph Clay, John Smith, Noble W. Jones, Lyman Hall, William Young, Edward Telfair, Samuel Farley, George Walton, Joseph Habersham, Jonathan Bryan, Jonathan Cochran, George McIntosh, John Benfield, William Gibbons, Benjamin Andrew, John Winn, John Stirk, Archibald Bulloch, John Screven, John Stacy, Henry Davis Bourquin, Elisha But-

William Baker, Parmenus Wey, John Baker, John Mann, Sutton Banks, David Zubly, and John Morel. The resolutions were outspoken in character, condemning as tyrannous the closing of the Boston harbor, and emphasizing the injustice of taxation without representation. More-

over, English subjects in the wilds of North America were held to be entitled to the same rights and privileges as English subjects in the environs of London. But action upon the resolution was delayed. It appeared that some of the upper parishes were not represented and it was desired to give the whole province an opportunity to be heard. Consequently, an adjournment was taken until August 10th, but, in the meantime, a committee was appointed to raise funds for the Boston sufferers. William Ewen, William Young, Joseph Clay, John Houstoun, Noble W. Jones, Edward Telfair, John Smith, Samuel Farley and Andrew Wells were given this task to perform, and in due time 600 barrels of rice and several bags of money were forwarded to Boston.

On August 10th the assemblage met again, but the counteractive agencies of Governor Wright were apparent; and only five out of eleven parishes were represented. It was known that heroic measures of redress were sought. This deterred many parishes from sending delegates, especially since the royal governor had issued warning proclamations. Moreover, some of the delegates who responded to the call thought it best to be conservative. It has already been stated that the Sons of Liberty were, with few exceptions, young men whose fathers were staunch old royalists; and some of them were doubtless held in check by the fear of parental displeasure. Besides, it must be added that the growth of the Revolutionary doctrines had been much more rapid in the towns than in the rural districts; and the colony had recently undergone an expansion which considerably increased the area of the latter. Savannah and Sunbury were the chief incubators of liberty, while the new parishes, which Governor Wright had lately opened up, were almost wholly the abodes of conservatism. Consequently, the utmost which could be done was to adopt the resolutions above mentioned, and even this mild course was disapproved by the stern elders who thought that Georgia was ill-requitting the royal benefits. If some of the wealthy aristocrats were upon the side of liberty, most of the landed gentry still posed as the bulwarks of the Crown. Yet, even among the poorer classes, there was an inclination toward the reigning sovereign whose father was the Brunswick prince for whom the colony was christened and whose name was George III.

Indignant because the most radical action was not taken by the provincial assemblage, the representatives from St. John's Parish withdrew. This left the patriotic body still feeble, and it was decided to adjourn until the Legislature should meet, the idea being to get the Lower House, which represented the whole province, to elect delegates to the Continental Congress. But the plan failed to work. Governor Wright thwarted the designs of the patriots by adjourning the Legislature at the critical moment, and the provincial assembly was forced either to adjourn without further ado or to go through the mock formality of choosing delegates whose credentials would be comparatively worthless. It was decided to take the latter course, and Noble W. Jones, Archibald Bulloch and John Houstoun were elected.

However, since the question of legality might be raised upon minority credentials, the delegates did not repair to Philadelphia. Instead, they dispatched a communication informing the Continental Congress of the

facts and stating that, while Georgia seemed to be tardy and irresolute, the province would be ready to evince at the proper time an uncompromising devotion to the patriotic cause. This document bore emphasis, from the most radical standpoint, to the fact that Georgia was sincerely attached to the mother-country, regardless of the influences which were slowly but surely goading her to defy the edicts of the Crown.

But there was one parish in Georgia which needed no further time for preparation and which was altogether too impatient to abide the slow processes of conversion which were necessary to bring the colony at large to the patriotic altars. This was the parish of St. John, one of the wealthiest of all the political subdivisions of the province. Perhaps the zeal of the parish was due largely to the sympathetic bond of kinship between the Puritan settlers at Midway and the Puritan sufferers in New England; and decidedly the largest contributions to the New England fund came from St. John's Parish, which was later to furnish two signers to the Declaration: Lyman Hall and Button Gwinnett. But Dr. Hall was destined to be Georgia's first representative in the Continental Congress, and to sit alone for several months in this august assemblage of patriots. On withdrawing from the Provincial Congress the parish of St. John decided to take independent action. Accordingly, Dr. Hall was sent to Philadelphia; and, in due season, he took his seat in the Continental Congress as the accredited delegate from the parish of St. John in the colony of Georgia. This bold leadership among the parishes is today monumentalized in the county which includes the historic Midway settlement and which bears the sacred name of Liberty.

Within the next few days came the news of the battle of Lexington. It brought the appeal of blood which Georgia could not resist. On the evening of May 11, 1775, six young adventurers broke into the powder magazine at Savannah and took possession of the stores of ammunition. The beardless captain of the band was Maj. James Habersham. He was the son of the old royalist, James Habersham, who ran the colony while Governor Wright was in England. He fought through the Revolution, and, when the Federal Government was duly organized, he became post-master-general under Washington. The other raiders were Noble W. Jones, Edward Telfair, Joseph Clay, William Gibbons and John Milledge. Some of the captured booty was stored in secure vaults and cellars for future use, some sent to South Carolina, and some forwarded to Boston where, in the great battle of Bunker Hill, it was destined to weave the heroic shroud of General Warren.

Another call was now issued for the patriots to meet in Savannah. It was signed by the same old advance guard of liberty, with the exception that George Walton's name was substituted for John Walton's, and the meeting was held on June 22d following. Besides designating an ad interim Council of Safety, which included such representative men of the colony as William Ewen, Edward Telfair, George Walton, Joseph Habersham, Samuel Elbert, John Glen, William Le Conte, and others, it was decided to summon the whole province together in conventional assembly on July 4th ensuing. There now remained but little trace of the conservative sentiment which had hitherto kept Georgia from sending delegates to Philadelphia. The most intense excitement prevailed; and the signs in the sky caused the royal governor to shudder with pain.

ful forebodings as he anxiously surveyed the distant horizon and noted the dusky banners of the fast oncoming storm.

This was the status of affairs in the midst of which Georgia's first secession convention, on July 4, 1775, met at Tondee's Tavern in Savannah. An eloquent sermon from Dr. Zubly solemnized the patriots for the serious business which was soon to be transacted, and, with Archibald Bulloch in the chair and George Walton at the secretary's desk, the historic assemblage was ready to proceed. The first duty was to choose an executive council in which to lodge the government of the province, and the members appointed were: George Walton, president; William Ewen, Stephen Drayton, Noble W. Jones, Basil Cooper, Edward Telfair, John B. Girardeau, John Smith, Jonathan Bryan, William Gibbons, John Martin, Oliver Bowen, Ambrose Wright, Samuel Elbert, Joseph Habersham and Francis H. Harris. To the Continental Congress five delegates were elected: Noble W. Jones, Lyman Hall, John Houston, Archibald Bulloch and John J. Zubly. But only three attended the adjourned session of the Continental Congress, Dr. Jones and Dr. Hall being detained at home. All of the parishes were represented in the notable convocation. Indeed, no subsequent assembly was ever more harmonious; and, if the Sons of Liberty, according to Governor Wright, acted like drunken men, they were intoxicated with the Pentecostal wine of the new freedom. The die was cast. Georgia's first secession ordinance was written, and the colonial gem, which bore the name of the Brunswick prince, was now transferred from King George's coronet to Young Liberty's brow.

But the convention, which remained in session for several days, was not unmindful of the steps which were needed to insure Georgia protection. It was necessary to provide the sinews of war. A schooner was commissioned by the Congress and put in command of two stout patriots, Oliver Bowen and Joseph Habersham, who were already in possession of information which promised to yield substantial results; and, within the next few days, 9,000 pounds of powder fell to Georgia's share in a haul which the officers made in connection with some adventurous South Carolinians. It was the first capture made by the first vessel commissioned for naval warfare in the Revolution.

However, this was not the powder which Governor Wright was expecting from the British depot of supplies. The helpless condition of the royal cause had induced the governor to send dispatches both to General Gage and to Admiral Graves asking for immediate re-enforcements. But the letters were intercepted by good Whigs who suspected the character of the contents, and who, using the same envelopes, substituted fictitious letters stating that the situation in Georgia was perfectly tranquil. Though the letters in due time reached the proper destination, there was naturally no response; and Governor Wright was puzzled for an explanation until years afterwards, when he chanced to meet General Gage in London.

For the military defense of the state, the First Battalion of Georgia troops was constituted with Lachlan McIntosh as colonel, Samuel Elbert as lieutenant-colonel, and Joseph Habersham as major. In the course

of time other battalions were added and Colonel McIntosh eventually became General McIntosh. But an unfortunate duel with Button Gwinnett, in which the latter fell, induced General McIntosh to seek an assignment to service in another field, and Colonel Elbert succeeded him at the head of the Georgia troops. However, General McIntosh returned to Georgia in the course of time to aid in the recapture of Savannah, and was second in command to General Lincoln. He achieved marked distinction in the Revolution, especially under General Washington, but at home he was unfortunately the victim of divided sentiment, though an impartial sifting of the evidence shows that he was not the party at fault. Colonel Elbert was made brigadier-general at the battle of Briar Creek. Though the engagement was disastrous to the Americans, due largely to the strategic blunders of General Ashe, it brought honors to the brave Georgian, every member of whose command was either killed, wounded or taken prisoner. Just before the fall of Savannah, Colonel Elbert urged General Howe to fortify Brewton Hill; but the commanding officer overruled the suggestion, and, sad to relate, Brewton Hill, in grim confirmation of the Georgian's foresight, furnished the precise spot on which the British troops landed. In 1785 General Elbert was made governor.

But the fortunes of war were destined to bring other Georgians to the front. Gen. James Screven, who was killed at the battle of Midway Church, was an able officer, to whose memory the United States Congress voted a monument, but the shaft was long delayed. Gen. Elijah Clarke* was an illiterate man who lived on the northern frontier of the state; but he was an unterrified dealer in buckshot. He waged relentless warfare against the Tories, and at the battle of Kettle Creek he is credited with the victory which overcame the noted ringleader of the band, Colonel Boyd. Subsequently, when Augusta fell for the second time into the hands of the British, he conducted the defenseless wives and children of the Broad River region to an asylum of safety in Kentucky; and the effort of Cornwallis to thwart him gave rise to the battle of King's Mountain. His son John, who afterwards became governor of Georgia, participated in some of the border campaigns, though at the time only an immature youth. Gen. John Twiggs was another distinguished soldier of the Revolution, whose services the state will always remember. Like General Clarke, he, too, lived on the upper frontier near Augusta, but he was an accomplished man, refined and polished, though largely self-educated. He married a sister of David Emanuel; and, coming to Georgia from Maryland some time before the Revolution, he was not long in winning the spurs of knighthood. He fought few engagements in which he was not successful; and in this respect was perhaps unequalled by any Georgian. Indeed, he is said to have been the nightmare of the dreaded Tarleton. Gen. David E. Twiggs was his son, and Judge H. D. D. Twiggs, of Savannah, is one of his descendants. Both General Clarke and General Twiggs distinguished themselves after the Revolution in campaigns against the Indians.

* Though General Clarke was an illiterate man, the county which includes the classic city of Athens with the State University and the Lucy Cobb Institute, and which is therefore the Georgia Attica, bears the name of the rustic rifleman.

Maj. James Jackson first came to the front at the battle of Cowpens. During the last years of the war he commanded an independent legion similar to the partisan bands which were led by General Clarke and General Twiggs; and he aided in the recapture of the two principal strongholds of the state: Augusta and Savannah. In 1780 he met Lieutenant-Governor Wells on the field of honor, inflicting mortal wounds, but receiving no serious hurt; and at the siege of Augusta he barely escaped assassination at the hands of an insubordinate British deserter who belonged to the legion. Perhaps not one of the Revolutionary patriots experienced more hairbreadth escapes than the adventurous young officer who was destined to attain to the very highest civic honors, and to link an already glorious name with the expurgation of the Yazoo fraud.

Like the heroes of faith, the brave men who illustrated Georgia in the dark days of the Revolution are too numerous even to be catalogued; but, among the gallant host of true and tried Georgians whose names appear on the bloody scroll are: Col. John Dooly, Col. Thomas Dooly, Maj. John Berrien, Col. William Glassecock, Capt. John Baker, Ignatius and Benjamin Few, Stephen Heard, Thomas Glassecock, John McIntosh and David Emanuel.

It is only fair to the martial prowess of the brave troops who guarded the home soil to say that Georgia, in the fore part of the struggle for independence, was the victim of incompetent generalship on the part of the commanding officers who were put in charge of the Southern department. To possess St. Augustine had been Georgia's darling ambition since the first outbreak of hostilities. The Florida border had always been a thorn in the side of the colony; and, between the outlaws and the savages, it was destined to furnish additional complications. In the hands of the English, St. Augustine proved an almost invincible base of operations, but the town could easily have been taken by an early assault. Gen. Charles Lee recognized the strategic importance of possessing St. Augustine, but he was called to New York before the campaign could be undertaken. General Howe sent an expedition against the stronghold, but it was wholly inadequate and disaster followed. General Howe also committed fatal blunders in the defense of Savannah, which was both defectively and insufficiently garrisoned; and he barely escaped being court-martialed for the slaughterhouse tragedy which opened the sea-gates of Georgia to the British invaders and inaugurated the bloody carnival whose butcheries were to redden the farthest hills. Of course, Georgia will always be grateful to Gen. Benjamin Lincoln for the gallant defense which he made of the state, especially in the ever-memorable siege of Savannah, in which Count Pulaski and Sergeant Jasper fell mortally wounded. But he was largely to blame for the ignominious defeat of General Ashe at Briar Creek, and it was not until Gen. Nathanael Greene was put in charge of the Southern department that the British were finally expelled from Georgia soil. He sent Gen. Light Horse Harry Lee and Gen. Andrew Pickens to aid Clarke and Twiggs and Jackson in the recapture of Augusta, and Gen. Anthony Wayne to take charge of the operations around Savannah. They came in good time to the relief of the well-nigh-drenched and exhausted state whose overpowered defenders were still bravely fighting the combined

Tories and Bluecoats; and they rendered efficient service to Georgia, for which they received due recognition. In the final capitulation of Savannah, Maj. John Habersham bore the negotiations and Gen. James Jackson was deputed to receive the keys of the city.

Not long after the adjournment of the famous convention, Governor Wright was arrested and imprisoned in the executive mansion by the same daring party of volunteers who had broken into the powder magazine in the early summer. In spite of the most vigilant effort to capture the raiders, Governor Wright was himself captured by the very patriots whose punishment he sought. Walking up to the surprised vicar of royalty, who was surrounded at the time by several members of the king's council, Maj. Joseph Habersham, the leader of the patriotic posse, quietly said:

"Sir James, you are under arrest."

Taken wholly unawares, Sir James was probably for the first time in his life bereft of the king's English. But he soon found himself at the same moment quite as helplessly abandoned by the king's council. For, the sage advisers of the administration, applying the prudent maxims of wisdom to the practical ends of self-preservation, happened to remember that they had pressing engagements elsewhere in Savannah, and, without ceremonious adieu, left Sir James to entertain the unannounced arrivals.

Supposing that Major Habersham was heavily supported by military re-enforcements in the background, the royal governor offered no resistance to the interesting program arranged by the captors. The fortunes of war had converted the executive mansion into the colonial bastille. But, luckily for Sir James, he subsequently escaped and took passage for England, leaving Georgia to work out her own salvation, which she proceeded to do with orthodox zeal.

However, on the fall of Savannah into the hands of the British, in 1778, Sir James recrossed the Atlantic and resumed once more the reins of government. The first act of the returning chief magistrate was to offer amnesty to all who were willing to renounce the Whig cause; and the temporary success of the Redcoats resulted in the manufacture of Tories in wholesale quantities. At one time when the state was completely overrun by the British, it looked as if the flag of England was again to become the imperial guardian of Georgia soil, but gradually the fortunes of war restricted inch by inch the domain of the royal governor until he found himself once more impaled within the boundaries of Savannah. In vain he summoned the Rump Parliaments and issued the executive edicts to punish the rebellious subjects of King George. The shadow of Yorktown was beginning to fall across the royal arms.

Towards the last, disasters multiplied thick and fast about the old vicegerent, whose splendid estates one by one fell into the hands of the Americans, and whose numerous official titles became at last the grimmest of mockeries. He could see from his open window the smoke of his burning barns. He could feel the tightening cordon. He could hear the approaching tramp of the victorious cohorts. But he bore himself like one of the princes of the blood, and Georgians in unaffected admiration for Sir James cannot fail to be proud of the fact that the name of the colony is indissolubly associated with the name of the English noble.

man who, amid the direst perils of the Revolution, was so unflinchingly steadfast in his allegiance to the House of Brunswick.

Georgia's delegates who signed the Declaration of Independence were: Button Gwinnett, Lyman Hall and George Walton. This event took place in Philadelphia on July 4, 1776. But such were the primitive means of communication in colonial times that it was not until August 10, 1776, that Georgia was apprised, either by official report or by oral rumor, of what had taken place in Philadelphia. On the day in question, a copy of the Declaration of Independence was brought to Savannah by a courier mounted on horseback, who also bore a letter from John Hancock. Without delay Archibald Bulloch convened the executive council and in formal session read the glorious document which severed the last links between the Crown and the colonies. It was not inappropriate that the old patriot who, on July 4, 1775, had called Georgia's first secession convention to order should have been accorded this high honor.

Together with the executive council, he then repaired to the public square and read the document again to the assembled populace of Savannah. It was received with acclamations of great enthusiasm. But still again the document was read, ere the sun intoxicated by the musical accents lit the western horizon into sympathetic flames. This time it was read to the Georgia battalion at the Liberty Pole in front of Tondee's Tavern, the historic rendezvous of the patriots. It fired the hearts and steeled the nerves of the soldier boys, who were soon to make the lusty echoes ring on the battlefield. At the command of Colonel McIntosh thirteen volleys were fired indicative of the fair sisterhood of sovereign states which comprised the Continental Union. Later in the day the tables were spread in the open air and the dignitaries dined under the cedars.

But the final ceremonies took place after nightfall, when the bonfires were kindled and the mortal ashes of King George were consigned in effigy to the dust. The red glare of the torch, the sharp flash of the bayonets and the struggling moonbeams' misty light, recalled the burial of Sir John Moore. It was an evening never to be forgotten. But Archibald Bulloch soon fell asleep; and the Declaration of Independence sealed the lips of the old patriot who presided over Georgia's first secession convention.

GEORGIA'S FIRST SECESSION CONVENTION.—"Memorable in the political annals of the colony were the proceedings of the Provincial Congress, which assembled at Savannah on the 4th of July, 1775. Every parish was represented, and the delegates were fitting exponents of the intelligence, the dominant hopes, and the material interests of the communities from which they respectively came. This was Georgia's first secession convention. It placed the province in active sympathy and confederated alliance with the other twelve American colonies, practically annulled within her limits the operation of the obnoxious acts of Parliament, questioned the supremacy of the realm, and inaugurated measures calculated to accomplish the independence of the plantation and its erection into the dignity of Statehood."

The following members submitted credentials and came together at Tondee's Long Room:

Town and District of Savannah.—Archibald Bulloch, Noble Wymberley Jones,

Joseph Habersham, Jonathan Bryan, Ambrose Wright, William Young, John Glen, Samuel Elbert, John Houstoun, Oliver Bowen, John McClure, Edward Telfair, Thomas Lee, George Houstoun, Joseph Reynolds, John Smith, William Ewen, John Martin, Doctor Zubly, William Bryan, Philip Box, Philip Allman, William O'Bryan, Joseph Clay, Seth John Cuthbert.

District of Vernonburgh.—Joseph Butler [declined to take his seat], Andrew Elton Wells, Matthew Roche, Jr.

District of Acton.—David Zubly, Basil Cowper, William Gibbons.

Sea Island District.—Colonel Deveaugh, Colonel Deleagall, James Bulloch, John Morel, John Bohun Girardeau, John Barnard, Robert Gibson.

District of Little Ogeechee.—Francis Henry Harris, Joseph Gibbons, James Robertson [declined to take his seat].

Parish of St. Matthew.—John Stirk, John Adam Treutlen, George Walton, Edward Jones, Jacob Wauldhauer, Philip Howell, Isaac Young, Jenkin Davis, John Morel, John Flert, Charles McCay, Christopher Cramer.

Parish of St. Philip.—Colonel Butler, William LeConte, William Maxwell, James Maxwell, Stephen Drayton, Adam Fowler Brisbane, Luke Mann, Hugh Bryan.

Parish of St. George.—Henry Jones, John Green, Thomas Burton, William Lord, David Lewis, James Pugh, John Fulton.

Parish of St. Andrew.—Jonathan Cochran, William Jones, Peter Tarlin, Laehlan McIntosh, William McIntosh, George Thredercraft, John Vereat, Roderick McIntosh, John Witherspoon, George McIntosh, Allan Stewart, John McIntosh, Raymond Demere.

Parish of St. David.—John Cuthbert Seth, William Williams, Sr.

Parish of St. Mary.—Daniel Ryan.

Parish of St. Thomas.—John Roberts.

Parish of St. Paul.—John Walton, Joseph Maddock [declined to take his seat], Andrew Burns, Robert Rae, James Rae, Andrew Moore, Andrew Burney, Leonard Marbury.—"Georgia's Landmarks, Memorials and Legends," by L. L. Knight, Vol. II.

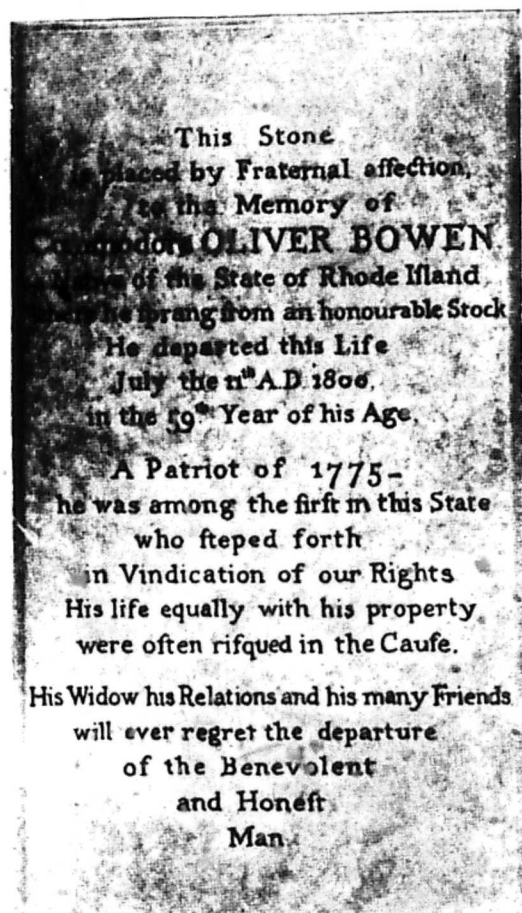
GUNPOWDER FOR BUNKER HILL.—Perhaps it may have been too small an item for the historians of New England to chronicle, but the State of Georgia made a contribution to the battle of Bunker Hill * which was deemed to be of very great value at the time to the cause of independence and which undoubtedly influenced in no slight degree the subsequent fortunes of the Revolution. On the 10th of May, 1775, there came to Savannah, by special courier, the first tidings of the battle of Lexington. It stirred the patriots to the highest pitch of excitement, and some of the bolder spirits of the colony hastily devised a plan of action which was destined to startle the royal Governor. Near the eastern extremity of the town was the magazine. It was built of brick and buried some twelve feet under ground. Within this subterranean vault there were large supplies of ammunition, which Governor Wright deemed it unnecessary to protect because of the substantial character of the structure. But he little suspected the resourcefulness of the Revolutionists.

Though Georgia was still nominally within the British allegiance, the necessity of securing the contents of this magazine for future operations became urgent; and Dr. Noble Wymberley Jones, Joseph Habersham, Edward Telfair, William Gibbons, Joseph Clay, John Milledge and several others, most of whom were members of the Council of Safety, organized themselves into a band and at a late hour on the next evening broke into the magazine and removed therefrom about 600 pounds of gunpowder. Governor Wright soon caught wind of the affair and issued a proclamation offering £150 sterling for the arrest of the offenders; but the raiders were not betrayed. Some of the gunpowder was sent to Beaufort, S. C., for safe-keeping; and the rest was concealed in the garrets and cellars of the houses of the captors; but some of it was later on sent to Boston, where, in the battle of Bunker Hill, it illuminated the opening drama of hostilities.—Ibid., Vol. II.

GEORGIA COMMISSIONS THE FIRST WARSHIP.—Another gunpowder incident is well authenticated. On the 4th of July, 1775, the Provincial Congress met in Savannah

* "History of Georgia," by Wm. B. Stevens, Vol. II. "History of Georgia," by Chas. C. Jones, Jr., Vol. II.

to sever the tie of allegiance between the colony and the Crown; and, after choosing delegates to the Continental Congress, in Philadelphia, the next step was to fortify the state against assault by providing the necessary sinews of war. To this end a schooner was commissioned and put in charge of two stout patriots, Oliver Bowen and Joseph Habersham, who, it appears from subsequent events, were already in possession of information which promised to yield substantial results.



COMMODORE OLIVER BOWEN'S GRAVE SLAB

Notified of the fact that a ship was en route to Georgia, having on board a supply of powder for the use of the Royalists, the Committee of Safety, at Charleston, South Carolina, resolved to capture the vessel. Accordingly forty men were selected for the hazardous enterprise; and, embarking in two barges, they proceeded to the mouth of the Savannah River and encamped on Bloody Point, in full view of Tybee Island. Whether directly or indirectly, word reached Savannah of what was in the air, and the Provincial Congress decided to reinforce the South Carolinians and to

participate in the haul. The Georgia schooner took a position beyond the bars and some distance in advance of the two barges, where it quietly lay in wait. On the fifth day, a vessel was sighted above the horizon. It proved to be Captain Maitland's ship, with the powder on board, for which the patriots were looking, but the captain, observing the Georgia schooner, suspected at once some evil design, and, without trying to enter the river, he turned around and put back to sea. Instantly Captain Bowen started in pursuit. He was an experienced sailor, the schooner was comparatively light, and, under his skillful manipulation, it cut the waters like an arrow. The fugitive vessel was soon overtaken; and, with the help of the South Carolinians, the military stores on board were seized.

Georgia's share of the prize was 9,000 pounds of powder, a quantity which was none too large for her needs, in view of her exposed water front; but, impetioned by the Continental Congress, she sent over half of the amount to Philadelphia to meet the needs of the northern colonies and to be distributed among the embryo armies which were then being organized to protect them. It has often been said to the disparagement of Georgia that she was the last of the original thirteen colonies to lower the English flag. But she was the youngest member of the sisterhood; she was in need of the mother country's protection against threatened troubles with the Indians; she possessed an excellent chief-magistrate in Governor Wright, and she bore the favorite name of the House of Brunswick. There was much to justify her in holding back until the last moment. But, having espoused the cause of freedom, it was in no sulky mood that she entered the struggle; and Georgia must be credited with the first capture made by the first vessel commissioned for naval warfare in the Revolution.

However, this was not the powder which Governor Wright was expecting from the British depot of supplies, in consequence of a letter addressed by him to General Gage some weeks earlier. The helpless condition of the province had induced the governor to send dispatches to General Gage and also to Admiral Graves, asking for immediate reinforcements. But the letters were intercepted by good whigs who suspected the character of the contents and who, using the same envelopes, substituted fictitious enclosures, stating that the situation in Georgia was perfectly tranquil. Though the letters in due time reached the proper destination, there was naturally no response; and Governor Wright was puzzled for an explanation until years afterwards, when he chanced to meet General Gage in London.—Ibid. Vol. II.

TYBEE: FIRST CAPTURE OF REVOLUTION HERE MADE.—On Tybee Island, at the mouth of the Savannah River, the first lighthouse on the Georgia coast was built under the supervision of Oglethorpe, in 1733. The present handsome structure is the tallest lighthouse between Charleston and St. Augustine. This was the scene of the famous capture made by the first vessel commissioned for naval warfare during the American Revolution. The boat was a converted schooner, officered by Commodore Oliver Bowen and Capt. Joseph Habersham. To meet the exigencies of the time, it was hastily put in commission, in 1775, and within a few days thereafter, off the coast of Tybee, 16,000 pounds of powder was captured, some of which was sent to Boston, where it was used in the battle of Bunker Hill. At Fort Screven, on Tybee Island, the United States Government maintains a strong battery, the numerical strength of which at present is 14 officers and 460 men. One of the quaint sights of the island is Martelle Tower, a structure built by the Federal Government for defensive purposes, at the outbreak of the second war with England, in 1812. This fort is still the property of the United States, but is no longer used except as a residence for officials. Tybee is today a great resort for lovers of the surf. It is the only island on the Georgia coast reached by direct railway connection, or to quote a Savannah rhapsodist "the only spot in Georgia where the headlight of a locomotive engine casts its silvery beams on the rolling waves of the deep and dark blue ocean."—Ibid. Vol. I.

TONDREE'S TAVERN: THE CRADLE OF LIBERTY IN GEORGIA.—On the northwest corner of Walker and Broughton streets, memorialized by a tablet of bronze, is one of the most sacred spots in the City of Savannah. Rich in historic associations, it was here that the earliest protest of the colony was made against the oppressive measures of the English Parliament. Here the citizens of Savannah assembled in response to the first bugle call of patriotism. Here the Council of Safety held weekly meet-

ings on Monday mornings; and here, on July 4, 1775, assembled the Provincial Congress which formally severed the tie of allegiance between the colony and the Crown. In the spring of 1899 the Colonial Dames placed a tablet of bronze upon the building which occupies the site of Tondee's Tavern. The inscription thereon reads:

"Stood, on this site, in colonial times, Tondee's Tavern, where gathered the 'Sons of Liberty.' Erected by the Georgia Society of the Colonial Dames of America."

Peter Tondee, the owner of this famous hostelry, was a patriot of the most loyal pattern. According to tradition, he held the post of doorkeeper at the gatherings of the "Sons of Liberty," and, though his establishment was open to the public, on ordinary occasions, no one could enter the long room, when the patriots were to meet there, without first pronouncing the shibboleth of freedom. In front of the tavern, on June 5, 1775, was erected the famous liberty pole, which became the rallying center of the town; and from the porch Archibald Bulloch, then president of the Council of Safety, read the declaration of independence to the assembled populace, after which thirteen guns were fired from the old battery on Bay Street. Though little is known of the man who owned the tavern, beyond the fact that he was one of the patriotic band, his name is imperishably written among the immortals and his memory will be fragrant in Georgia to the latest generation.—*Ibid.* Vol. I.

CHAPTER II

WHY GEORGIA WAS REPRESENTED ON THE SCROLL OF INDEPENDENCE BY ONLY THREE SIGNERS—AN EPISODE OF SINGULAR INTEREST—REV. JOHN J. ZUBLY, A MEMBER OF THE PRECEDING CONGRESS, DEVELOPS STRONG TORY SENTIMENTS—FORMERLY A PRONOUNCED WHIG—QUITS PHILADELPHIA WHEN HE LEARNS THAT THE COLONIES ARE BENT ON SEPARATION FROM ENGLAND—LETTER WRITTEN BY DOCTOR ZUBLY TO GOVERNOR WRIGHT IS DISCOVERED—RETURNING TO GEORGIA, THE CLERGYMAN SEEKS TO STEM THE TIDE TOWARD REPUBLICAN FREEDOM—GIFTED WITH RARE ELOQUENCE—PASTOR OF THE OLD INDEPENDENT PRESBYTERIAN CHURCH—MR. HOUSTOUN, A DELEGATE TO THE CONGRESS OF 1776, RETURNS HOME TO COMBAT DOCTOR ZUBLY'S TORY ARGUMENTS—MR. BULLOCH IS DETAINED IN GEORGIA BY HIS DUTIES AS PRESIDENT OF THE EXECUTIVE COUNCIL—GEORGIA'S THREE SIGNERS—GEORGE WALTON—LYMAN HALL—BUTTON GWINNETT—THE LAST-NAMED SIGNER KILLED IN A DUEL BY LACHLAN MCINTOSH—DOCTOR ZUBLY'S BANISHMENT AND DEATH—EXTENUATING CIRCUMSTANCES.

Why was Georgia represented on the Declaration of Independence by only three signers, when she was represented by five delegates in the Continental Congress of 1776? Though the youngest of the original thirteen colonies, she was not the least populous nor the least patriotic; and the comparatively small space which she occupies on the time-honored scroll of American liberty is wholly out of proportion to her recognized importance in the sisterhood of imperial provinces. Tell it not in Gath; but the answer to this historical conundrum involves an episode of singular interest in the early history of the patriotic cause in Georgia, and shows how one of the very brightest of the lights of liberty suffered extinction.

The Georgia signers were Button Gwinnett, Lyman Hall and George Walton. But Archibald Bulloch and John Houston were also members of the congressional delegation. Mr. Bulloch was detained in Georgia by official duties, being at the time president of the executive council and acting governor; and it was neither politic nor wise for the chief magistrate to leave the state when an outbreak of war was imminent. Mr. Houston repaired to Philadelphia, but he was soon back again in Georgia for the purpose of combating the hostile influence of an ex-patriot who, having returned to the standard of the king, was at work in the field with perverted missionary zeal, seeking to prevent the drift toward separation and to extinguish the revolutionary flames which he

* This chapter is reproduced from "Reminiscences of Famous Georgians," by L. I. Knight, Vol. II.

had helped to kindle. The political backslider in question was Rev. John J. Zubly.

Doctor Zubly was the first pastor of the old Independent Presbyterian Church of Savannah, an organization which was not more wedded to the Shorter Catechism than to the principles of civil liberty, and which in historic harmony with Presbyterian traditions, proceeded at the first drum-tap to entwine the continental flag with the old blue banner of the kirk. The distinguished divine came from St. Gall, in Switzerland, and is said to have boasted an ancestry whose strong Protestant bias reached back to forefathers who started the Swiss reformation under Zwingli. Not only a theologian and a scholar, but also an orator of marked attainments, he preached to large congregations in Savannah, and sometimes the Established Church was quite deserted on Sundays by parishioners who were eager to hear the eloquent dissenter.

Against the oppressive measures of Parliament he inveighed with an emphasis which admitted of no doubtful interpretation. But he was not satisfied to hurl thunderbolts from the pulpit. He resorted to the pamphlet. Article after article dealing with the obnoxious acts of the British government came from the caustic pen of the bold preacher. He was prominent in the meetings which protested against the Boston Port Bill; and, when the Provincial Congress met in Savannah soon after the Battle of Lexington, he was one of the delegates. Moreover, the Provincial Congress immediately upon convening adjourned to the old Independent Church to hear an eloquent sermon from Doctor Zubly; and he rose to the occasion, taking some text from the Pauline Epistles which dealt with the law of liberty. To show what striking figures of speech the learned doctor could use, he wrote to some English correspondent, about this time, stating that if the colonies were bound together by ropes of sand, it should be remembered that sand and blood made an excellent cement.

Naturally such an eloquent voice was coveted for the continental councils in Philadelphia, and Doctor Zubly was elected together with Noble W. Jones, Archibald Bulloch, Lyman Hall and John Houstoun to represent Georgia in the Continental Congress of 1775. At first he hesitated to accept the unsolicited honor because of the prolonged absence from Savannah and the consequent relinquishment of pastoral work, which the duty of representing the colony in Philadelphia involved. However, Mr. Houstoun went before the congregation and explained the situation fully, and, being largely dominated by the Sons of Liberty, the old Independent Church, independent in name and independent in zeal for American freedom, consented to make the sacrifice for the sake of the patriotic cause.

But, arrived in Philadelphia, Doctor Zubly began perceptibly to weaken. Seeing the Continental Congress bent upon immediate separation, he found that he was more Tory than Whig; and, to cap the climax, he declared from his seat that a republic was little better than a government of devils. This was strange language for one whose blood was derived from the free cantons of Switzerland; and Americans who live today peaceably and happily under the folds of the national flag, and who suggest no thought of pandemonium, can hardly be expected to applaud such an undemocratic sentiment. However, it must be said

in justice to Doctor Zubly that, while he had strongly advocated resistance to the oppressive acts of Parliament, and had boldly stigmatized taxation without representation, he had not gone so far as to preach absolute separation from the Crown of England. It was the plan of Doctor Zubly to seek redress of grievances within the limits of urgent protest, but not to the extent of open revolt. He considered himself an English subject. But on the other hand it must be said, in justice to those who were ready to dissolve the bonds of union, that, in upholding the principles of the great charter, they, too, acquitted themselves like loyal Englishmen who bent the knee in the true allegiance.

Perhaps Doctor Zubly, like more than one reluctant patriot, might eventually have acquiesced in the majority sentiment; but an unfortunate incident occurred in the progress of the session which served to bar him from future affiliation with the colonial patriots, even though, underneath the horns of his own altar he crouched among the penitents. Seeing that radical steps were to be taken, he undertook privately to communicate with Governor Wright. He was divulging no star-chamber secret and betraying no public trust; but the watchword of the hour was liberty. In some way the designs of Doctor Zubly were discovered, and he was confronted with exposure on the floor of the Continental Congress. Realizing that his influence was destroyed and his usefulness ended in Philadelphia, he withdrew from the patriotic councils, and returned to Georgia.

But Doctor Zubly was not to remain idle. Though he was powerless among the assembled lawmakers in Philadelphia, he was not debarred from appealing to the inhabitants of the colony; and he went before the people, resolved to check, if possible, the movement toward separation. Many communicants withdrew from the Independent Church. Some were converted by the eloquent logic of the wily doctor, and some retained membership only because of an inherent conservatism. He began to thunder again from the pulpit. He resorted once more to the pamphlets. But it was now to stem the republican tide.

Another Provincial Congress was held early in the year following, but there was no adjournment to hear Doctor Zubly preach. Archibald Bulloch, Button Gwinnett, Lyman Hall, George Walton and John Houstoun were elected to the Continental Congress. It has already been stated that Mr. Bulloch was detained at home by reason of administrative duties. The others repaired to Philadelphia. But news at length reached the Quaker City to the effect that Doctor Zubly, instead of converting bad sinners, was converting good Whigs and that Georgia was apt to turn Tory unless the designs of the preacher were checked.

Times of excitement are always favorable to the reckless use of hyperbole; but, while the accounts were felt to be exaggerated, it was thought best to dispatch one of the members of the congressional delegation to Georgia to combat the heretical doctrines of Doctor Zubly and to hold the colony to the formulas of the true faith. Upon Mr. Houstoun devolved the task; and, since he had gone before the congregation of the old Independent Church the year previous to ask that Doctor Zubly be allowed to represent the colony, he felt the responsibility of the commission. Like the epigrammatic Caesar, he was soon able to say,

"Veni, vidi, vici." But he reached the Continental Congress too late to participate in the momentous drama of signing the immortal protest against oppression. The bonfires had been kindled in the streets of Philadelphia, and from the belfry of old Independence Hall the sweet siren of liberty had commenced to sing.

It is sorely to be regretted that the name of this patriotic Georgian was not appended to the great charter of liberty, for he was no less wedded to the sacred cause than were the men whose names were inscribed upon the deathless roll of honor. He was in just desert if not in actual fact one of the Georgia signers. Mr. Houstoun was the son of old Sir Patrick Houstoun, a baronet whose conservative inclinations were so partial to the fence that he was denounced first by the Tory and then by the Whig government, perhaps unjustly by the latter; but he gave the patriotic cause two sons, John and William, whose knee-joints were too stiff with the starch of liberty to crook in obsequious homage to the king. Mr. Houstoun was twice governor, and died in 1796 well advanced in years.

As for Doctor Zubly, he was banished from Savannah in 1777 and took refuge in South Carolina; but when the town fell into the hands of the British in 1778, he returned to Savannah and resumed pastoral work among the uncontaminated members of the flock who drank the king's tea. But he was not the same man. Broken in health, and in fortune, he failed rapidly and died in 1781 on the eve of the evacuation of the city by the British. Thus sank into ignominious eclipse one of the brightest luminaries that lit the gray horizon of the revolutionary dawn in Georgia.

George Walton, who sprang from an old Virginia family, became the most distinguished member of the group of signers. He was twice governor, six times congressman, an officer in the Revolution, chief justice of the state, judge of the Superior Court and United States senator. Doctor Hall afterwards occupied the gubernatorial chair. He was an eminent physician from Connecticut, who early became the foremost champion of liberty in the parish of St. John, and who was sent by the parish as an independent delegate to the Continental Congress, before the colony at large was sufficiently aroused to demand representation. He lived at Sunbury, where Governor Wright located the head of the republican disaffection in Georgia, stating that it came from the Puritan settlers who had imbibed too freely the vicious principles of Oliver Cromwell.

Button Gwinnett was an Englishman who became identified with the colony only four years before the Declaration was signed; but the short period of his residence in the colony only serves to lay emphasis upon his zeal in the cause. He, too, lived at Sunbury, but the thrifty little town which in the old colonial days was an enterprising commercial center, sufficiently infused with the patriotic ardor to give two signers to the Declaration of Independence, is today numbered among the buried towns of Georgia, and as if the very memories of the Revolution had germinated upon the sacred spot, it sleeps enfolded in an evergreen mantle of bermuda. Soon after the war began, Mr. Gwinnett became involved in personal difficulties with General Lachlan McIntosh, growing out of the latter's appointment to the brigadier-generalship in

preference to the former; and, chagrined at his subsequent defeat for governor, Gwinnett challenged McIntosh, who was quoted to him as having expressed very great satisfaction with the result of the election.

The combatants met at sunrise within the limits of the present City of Savannah, measured off twelve paces and fired. Both were wounded in the thigh. Gwinnett lingered nearly two weeks before death came to end the struggles of the unfortunate signer. McIntosh recovered, but popular feeling in the state was such that, acting upon the advice of friends, he sought an assignment for the time being in another part of the field. He returned soon after the fall of Savannah to aid in the recapture of the city. However, it was only to find that the smoldering fires of hostility were ready to break out afresh. Yet he lived to see the feudal spark extinguished and to represent Georgia in the Continental Congress.

Though popular sentiment was against General McIntosh, it was largely because of Mr. Gwinnett's prestige as one of the signers. The evidence shows that the latter was clearly the aggressor, and that when president of the executive council, he asserted his authority as commander-in-chief of the army to the extent of ignoring General McIntosh, especially in the ill-advised campaign which he himself organized for the reduction of East Florida. General McIntosh was an able tactician. He distinguished himself under Washington, whose esteem and confidence he possessed; and when the latter visited Georgia in 1791, General McIntosh acted as special escort. He was president of the Georgia division of the Society of the Cincinnati, and was an unusually handsome man, tall and erect, with an impressive military carriage. It is said that in youth no Indian could compete with him in fleetness of foot. He belonged to the famous clan which John Moore McIntosh planted at Darien, and which was characterized by all the robust traits which belonged to the parent stock in the distant highlands of Scotland.

On the floor of the Continental Congress Georgia was represented from time to time by some of her ablest talent, and Dr. Lyman Hall was not required to sit alone for any great while in the austere councils at Philadelphia. Included among the delegates who, from first to last, represented Georgia in the Continental Congress, were Abraham Baldwin, Nathan Bronson, Archibald Bulloch, Joseph Clay, William Few, William Gibbons, Button Gwinnett, John Habersham, Lyman Hall, John Houstoun, William Houstoun, Richard Howley, Noble W. Jones, Edward Langworthy, Lachlan McIntosh, William Pierce, Edward Telfair, George Walton, John Walton, Joseph Wood and John J. Zubly. If one member of the group proved himself recreant to the high trust it must be remembered that even the apostolic band, at the communion table of the Last Supper, was darkened by the envious brow of an Iscariot, who marred the gentle brotherhood. But Doctor Zubly was neither an Iscariot nor an Arnold, and, without brooding upon the fallen meteor that forsook the trouble heavens, Georgia is content to rejoice in the fixed stars which, pure and bright and steadfast, illuminated the stellar fields.

CHAPTER III

UNDER A TEMPORARY CONSTITUTION, ARCHIBALD BULLOCH IS ELECTED PRESIDENT AND COMMANDER-IN-CHIEF OF GEORGIA—FIRST REVOLUTIONARY PASSAGE AT ARMS—THE CONSTITUTION OF 1777—THE FIRST COUNTIES—A DICTATOR AUTHORIZED—BUTON GWINNETT—FORT MORRIS—COLONEL MCINTOSH'S BRAVE LETTER—THE CAPTURE OF SAVANNAH—THE CAPTURE OF AUGUSTA—THE VICTORY AT KETTLE CREEK—THE DEFEAT OF GENERAL ASH—THE SIEGE OF SAVANNAH.

NOTES: WAR HILL—ELIJAH CLARKE—THE TORIES—NANCY HART—FORT MORRIS—MEADOW GARDEN—THE CONSTITUTION OF 1777—LEGISLATIVE HISTORY DURING THE REVOLUTION.

(This chapter prepared by Charles Edgeworth Jones, Esq.)

In the spring of 1776 a temporary constitution was devised for the province as the "ground-work of a more stable and formal government;" and by the terms of its provisions, Archibald Bulloch was unanimously elected president and commander-in-chief of Georgia. Some weeks prior to this event occurred the first revolutionary passage at arms within the borders of the nascent commonwealth. Quite a number of disabled rice-laden merchant vessels were lying at the Savannah wharves. When, upon the eve of leaving port, their departure had been effectually prevented, through the unshipping of their rudders and the removal of their sails; and while in this incapacitated condition, the capture of these vessels was boldly planned by the British land and naval contingent, riding off Tybee inlet. The ascent of the Savannah River was, accordingly, commenced, with the result that one of the enemy's ships (the *Hinchinbrooke*, of eight guns) speedily grounded. Through the vigor of the concentrated fire of Major Habersham's riflemen, the crew of this armed schooner was quickly driven from the deck; and, but for the absence of boats, it would, undoubtedly, have fallen a prize to the patriots.

Meanwhile, the British land forces had not been idle. On the night of March 2d, disembarking a contingent comprising some 200 or 300 men, under the command of Majors Maitland and Grant, from a ship in Back River, and silently marching across Hutchinson's Island, early on the next morning, they took possession of the rice-laden vessels at anchor opposite the town.

With such quietness had this movement been executed, however, that it was some hours before the municipal authorities became aware of what had transpired. So soon as the true state of affairs was known, Col. Lachlan McIntosh, with 300 troops, hastily throwing up a breastwork

on Yamacraw Bluff, there posted three four-pounder guns, which bore directly upon the shipping. But prior to opening fire, two officers (Lieut. Daniel Roberts and Capt. Raymond Demeré) were dispatched, to demand the immediate release of Captain Rice, and his boat's crew, who were by them detained as prisoners. The officers not returning, upon a renewal of the peremptory requirement for the liberation of the Americans, such an insulting retort was evoked, that fire was at once drawn from the Yamacraw breastwork. The reply was received, that if the most reputable envoys should be sent, the enemy would treat with them. Whereupon two officers (Captains Screven and Baker), with a small detail, repairing to the ship's side, made requisition for the prompt restoration of their brethren.

Such scant courtesy, however, was accorded the officers that one of them, infuriated, fired into the crew. This was evidently exactly what the foe wished, for, strange to say, a discharge of swivels came from the vessel, almost sinking the boat, and wounding one of the escort. At this, the envoys, surprised at this murderous breach of military etiquette, retired toward Savannah, balls speeding after them, until they were beyond gun-reach. The Yamacraw battery now took a hand in the affair and for several hours maintained a brisk cannonade, which was returned by the British troops on the merchant vessels.

It being now decided that the shipping must be destroyed, the Council of Safety called for volunteers for the accomplishment of that important object. The desired end was attained when the *Inverness*, loaded with rice and deer skins, was ignited and turned adrift in the stream. "Upon this," writes President Ewen, "the soldiers, in the most laughable confusion, got ashore in the marsh, while our riflemen and field-pieces, with grape-shot, were incessantly galling them. The shipping was now also in confusion. Some got up the river, under cover of the armed schooner, while others caught the flame, and, as night approached, exhibited a scene, as they passed and repassed with the tide, which at any but the present time, would be truly horrible, but now a subject only of gratitude and applause." With the co-operative aid of the South Carolinians, the dislodgment of the enemy was at length consummated; three of the merchant vessels being burnt, six being dismantled, and two escaping to sea. Thus ended a martial episode which, while of comparative insignificance, was instinct with the spirit of the Georgia revolutionists.

The republican constitution, as already referred to, was purely temporary in its character, and was intended merely as the forerunner to a more satisfactory instrument. With a view to realizing the ideas of its framers, by the formulation of another and more complete constitution, which would be thoroughly adapted to the needs of the embattled republic, a convention for that important purpose was, accordingly, convoked. The opening session of that distinguished body was held on the 1st of October, 1776, and for four months and more were its noteworthy deliberations uninterruptedly continued, its interesting labors being concluded on the 5th of the following February. In pursuance of the provisions of that admirable document, the parish system was abolished, and the sturdy counties of Chatham, Effingham, Burke, Liberty, Camden, Glynn, Richmond and Wilkes were installed in its stead. On the

22d of February, 1777, President Bulloch received an additional mark of the public confidence, in his being requested "to take upon himself the whole executive powers of government." Not long did he survive the bestowal of those dictatorial honors; death coming suddenly within a few days to end the useful life of this beloved patriot. Button Gwinnett was, on the 4th of March, chosen to succeed him in the office of president. When, in the following May, he was an aspirant for the same position, he suffered a mortifying defeat at the hands of his fearless competitor, John Adam Treutlen—the first freely elected chief magistrate of the commonwealth. But grievous as was the former's disappointment, it was destined to be of short duration, as a week later he fell in a duel with his malignant enemy, Gen. Lachlan McIntosh. Thus died the brilliant and impulsive Button Gwinnett, one of the historic signers of the immortal Declaration of Independence, of whom much more might have been expected.

The year 1778 was fraught with gloom for the Georgia Sons of Liberty. For besides being, possibly, the darkest period in the American Revolution, the infant republic was fairly swarming with and overrun by the British soldiery. Late in November of that year, Colonel Fuser, with his vessels conveying some 500 troops, battering cannon, light artillery and mortars, anchored off Colonel's Island. Debarkation having been effected, the hostile array commenced its march against undaunted Sunbury. Contemporaneously with the land movement, the armed ships sailed up the Midway River, and took position in front of Fort Morris and opposite the town. With the exception of that fort, which was held by Col. John McIntosh and 300 continentals, militia, and citizens, Sunbury was unprotected. His dispositions being perfected, Fuser made demand for the immediate surrender of the work, his communication soon evoking the following characteristic response:

"Fort Morris, November 25, 1778.

"We acknowledge we are not ignorant that your army is in motion to reduce this State. We believe it entirely chimerical that Colonel Prevost is at the Meeting House; but should it be so, we are in no degree apprehensive of danger from a junction of his army with yours. We have no property compared with the object we contend for which we value a rush, and would rather perish in a vigorous defense, than accept of your proposals. We, Sir, are fighting the battles of America, and, therefore, disdain to remain neutral till its fate is determined. As to surrendering the fort, receive this laconic reply: Come And Take It."

"I have the honor to be, Sir,

"Your most obedient servant,

"JOHN MCINTOSH,

"Colonel of Continental Troops."

Instead of accepting this manly invitation, Fuser soon afterwards raised the siege and retired. Subsequently, Sunbury fell into the hands of Gen. Augustine Prevost. The bold and patriotic answer of Colonel McIntosh, however, is worthy of perpetual preservation.

Late in December, 1778, the vessels conveying Lieut.-Col. Archibald Campbell's expeditionary force, specially designed for the capture of the capital of Georgia, made its appearance in the Savannah River. The

troops under his command consisted of his majesty's Seventy-first Regiment of foot, of two battalions of Hessians, of four battalions of provincials, and of a detachment of the Royal Artillery—in all comprising some 3,000 men. Landing, with slight opposition, at Girardeau's plantation—then about 1½ miles from the town—on the 29th the battle for the retention of Savannah was fought, which culminated in a disastrous defeat for the Americans. In this unfortunate affair, the Georgians were heavy losers in every way. The loss of life was considerable, and a surprising number were taken prisoners; and, moreover, their valuable military accumulations fell into the hands of their victorious adversaries. Gen. Robert Howe was on this occasion charged with the defense of Savannah, and was severely criticised because of the unreasonably easy defeat.

The British attention was now turned toward the capture of Augusta. Accordingly, about the middle of January, 1779, Colonel Campbell made his arrangements for putting that plan into execution. A thousand strong, he marched upon the place, which was guarded by General Williamson, and a body of provincials. But though the partisan patriot leaders strove to stem the irresistible tide that appeared to be carrying everything before it, through the seeming treachery of Williamson Augusta was surrendered to the enemy without a struggle.

A month later, or on the 14th of February, 1779, a ray of light pierced the dark gloom of despondency, and new hopes were placed in the breasts of the indefatigable revolutionists by their brilliant victory at Kettle Creek. As a consequence of the great enthusiasm aroused by that splendid triumph, and the increased activity which was developed among the Americans in Upper Georgia, Colonel Campbell found it expedient to evacuate Augusta. This famous engagement was fought early on the morning of the eventful day. The combined forces of Colonels Pickens, Dooly, and Clarke were then in active pursuit of Colonel Boyd, who was intent upon a junction with the infamous Tory officer, Daniel McGirth, on Little River.

As the patriots neared the camp of the Loyalists, who were seemingly unconscious of their coming, they devised an order of battle. A strong vanguard moved 150 paces in advance. The right and left wings, consisting each of 100 men, were, respectively, commanded by Colonels Dooly and Clarke; while the center, numbering 200 men, was led by Colonel Pickens. On their approach, the pickets fired and retreated. Hastily forming his line in rear of his encampment, Colonel Boyd prepared to repel the assault. After acquitting himself with great bravery, he, with his immediate command, was overpowered and driven back upon the main body. In the retreat, Boyd fell, mortally wounded. Upon this, the enemy, abandoning horses, baggage, and munition wagons, fled through the swamp, and reformed on the high ground beyond. Here the conflict, which was measurably sanguinary, was renewed. At length, the Americans gained complete possession of the hill; and the Loyalists, routed at all points, rapidly withdrew from the scene of action. They left some seventy of their number dead upon the field; while seventy-five were included among their wounded and captured. On the part of the revolutionists, nine were slain and twenty-three

wounded. Colonel Clarke's gallantry and military sagacity, on this occasion, were worthy of all praise.

The defeat of General Ash, with his eight hundred troops, on Briar Creek, in the spring of 1779, is cursorily referred to. It was a most mortifying affair. Colonel Campbell resolved on his dislodgment, and for the effectuation of this, he utilized the services of 1,700 trained men—more than twice Ash's command. The battle was soon changed into an inglorious rout; the gallant conduct of General Elbert, and his contingent, standing firm in the face of flying soldiers, redeeming the day. He fought until the means for prolonging the struggle had ceased to be available. The American loss in that engagement was 150, killed and drowned; and about 200 were wounded or captured; many of General Ash's force succeeding, by swimming, in escaping to South Carolina. The British casualties were only six killed and ten wounded.

With the ratification of the treaties of May 1, 1779, with the French sovereign, it was thought by many that the situation would be materially relieved. On the 1st of September of the same year, Count D'Estaing made his welcome appearance on the Georgia Coast. So unexpected was his coming, that several English vessels were surprised and captured near the mouth of the Savannah River. Ten days later, his first debarkation was effected; 1,200 of his best troops being successfully landed at Beaulieu. So eager was the Count to commence active operations that he decided to take the initiative, without awaiting the arrival of General Lincoln and his Americans. And so, on the 16th of September, he made formal demand on Gen. Augustine Prevost, commanding the British army, for the surrender of Savannah to the King of France. As a result of their correspondence, it was agreed that a truce of twenty-four hours' duration should be accorded.

WAR HILL: WHERE THE FAMOUS REVOLUTIONARY BATTLE OF KETTLE CREEK WAS FOUGHT. Eight miles west of Washington is War Hill, the scene of the famous battle of Kettle Creek. Here, on St. Valentine's Day, February 14, 1779, a decisive victory by the Americans sounded the death knell of Toryism in Upper Georgia. The ground on which this crucial engagement was fought has been acquired for memorial purposes by Kettle Creek Chapter of the Daughters of the American Revolution, which patriotic organization, with the help of the United States Government, will furnish it with appropriate markers and preserve it for posterity as a monument to American valor. We quote the following description of the battle ground from the pen of Miss Eliza Bowen; the accredited historian of Wilkes: "I have myself seen the battle-ground of Kettle Creek, which is on a plantation now belonging to Henry Slaton. There is a steep bluff on the south side of the creek, which is to this day called War Hill, by people living in the neighborhood. On the north side is a low meadow, beyond which, near the creek, is a swamp, part of which was then covered by a cane-brake. Boyd's men were killing bullocks and parching corn when they unexpectedly heard the firing of pickets." According to Miss Bowen, the Americans, in this engagement, were only 500 strong, while there were not less than 700 men under Colonel Boyd. On the eve of the battle, Elijah Clarke camped in the neighborhood of what is now the Jordan burial-ground near Clarke's Station, where several of the members of his family were afterwards buried. The old soldier eventually acquired large bodies of land on Kettle Creek, and today all the original deeds and titles run back to him. It is said that for years it was not unusual for parties who were on the tramp through this section to pick up musket balls, old bayonets, old gun-barrels and other odd and curious relics, which recent hard rains had brought to the surface of the ground. As late as 1876 an old silver coin was found on the battlefield of Kettle Creek, which, according to last accounts, was owned by Henry Slaton.

Bishop Stevens, in Volume II of his authoritative work, gives an excellent account of the battle of Kettle Creek. Says he:

"The enemy having effected a passage into Georgia, Pickens and Dooly, now joined by Colonel Clarke, resolved to follow; and they accordingly crossed the Savannah on February 12, 1779, and camped the following night within four miles of the enemy. Forming the line of march in the order of battle, the Americans now prepared once more, at a great disadvantage of numbers, to contest with the Tories for the supremacy of Upper Georgia. Much depended on this battle. If Boyd should be successful in driving back the Americans, under such men as Pickens and Dooly and Clarke, he might rest assured that no further molestation, at least for a very long time, would follow, and all would yield to the British power; while, on the other hand, should the Americans be successful, it would not only crush the Tory power, already so galling to the people, but protect them from further insult, and give a stimulus to American courage, which a long series of disasters made essential. It was a moment big with the fate of Upper Georgia.

"Boyd, with a carelessness evincing great lack of military skill and prudence, had halted on the morning of the 14th of February [1779], at a farm near Kettle Creek, in Wilkes County, having no suspicion of the near approach of the Americans, and his army was dispersed in various directions, killing and gathering stock, cooking and other operations. Having reconnoitered the enemy's position, the Americans, under Pickens, advanced in three divisions: the right under Colonel Dooly, the left under Colonel Clarke, and the center led by the commander himself, with orders not to fire a gun until within at least thirty paces. As the center, led by Pickens, marched to the attack, Boyd met them; at the head of a select party, his line being protected by a fence filled with fallen timber, which gave him a great advantage over the troops in his front. Observing this half-formed abatis, Pickens fled off to a rising ground on his right, and thence gaining the flank of Boyd rushed upon him with great bravery—the enemy fleeing when they saw the leader shot down before them. He was sustained in this charge by Dooly and Clarke, and the enemy, after fighting with great bravery, retired across the creek, but were rallied by Major Spurgen, on a hill beyond, where the battle was again renewed with fierceness.

"But Colonel Clarke, with about fifty Georgians, having discovered a path leading to a ford, pushed through it, though in doing so he encountered a severe fire and his horse shot down under him, and, by a circuitous route, rose upon the hill in the rear of Spurgen, when, opening a deadly fire, the enemy, hemmed in on both sides, fled, and were hotly pursued by the victors, until the conquest was complete. For an hour and a half, under great disadvantage, and against a force almost double, had the Americans maintained the unequal contest, and, though once or twice it seemed as if they must give way, especially when the Tories had gained the hill, and were reinforced under Spurgen; yet the masterly stroke of Clarke, with his few brave Georgians, turned the scale, and victory, bloody indeed but complete, was ours."

Capt. Hugh McCall, who was present at the battle of Kettle Creek, thus describes the death of the famous Tory leader. Says he: "After the action was ended, Colonel Pickens went to Colonel Boyd and tendered him any services which his present situation would authorize, and observed that, since his wounds appeared to be mortal, he would recommend those preparations which approaching death required. Boyd thanked him for his civilities and inquired the result of the battle. Upon being informed that victory was with the Americans, he observed that it would have been otherwise if he had not fallen. He said that he had marched from his rendezvous with eight hundred men, of which number one hundred were killed and wounded, or deserted at the Savannah River; and that on the morning of the action there were seven hundred men under his command. He had the promise of Colonel Campbell that McGirth, with five hundred men, should join him at Little River, about six miles from the field of battle, on the same evening or on the ensuing day and he concluded by saying that he had but a few hours to live, and requested that Colonel Pickens would leave two men with him to furnish him with water and to bury him after he died; also that Colonel Pickens would write a letter to Mrs. Boyd to inform her of his fate, and therewith send her a few articles which he had

about his person. He expired early in the night; and his requests of Colonel Pickens were faithfully complied with." From the standpoint of an eyewitness, Captain McCall further informs us in regard to this battle that Clarke and Dooley, who commanded the two wings, had 100 men each and that Colonel Pickens, who led the center, had 250 men, thus making the odds four to seven in favor of the British; but it was nevertheless ordained that victory should perch upon the American arms.—"Georgia's Landmarks, Memorials and Legends," L. L. Knight, Vol. I.

We are indebted to the thorough and exhaustive researches of Mrs. T. M. Green, of Washington, Georgia, for the most complete list which exists today of those who took part in the battle of Kettle Creek. It is a work of priceless historical value because it contains the names of Revolutionary ancestors from whom thousands of people today prominent throughout the South have sprung. Mrs. Green has put under tribute every source of information within her reach, including the official records of Wilkes County, the "Historical Collections and Statistics of Georgia" by White, the old newspaper files of the state, together with manuscripts, letters, scrap-books and diaries preserved by families in Wilkes County since the earliest times. The list is as follows:

Elijah Clarke, John Dooley, Mienjah Williamson, Hugh McCall, George Dooley, Thomas Dooley, John Freeman, Daniel Freeman, Coldrop Freeman, Stephen Heard, Hallman Freeman, James Freeman, William Freeman, Barnard Heard, John Heard, Jesse Heard, Austin Dabney, James Williams, Samuel Whatley, Benjamin Wilkinson, Benjamin Hart, Morgan Hart, Nancy Hart, Nancy Darker, Elisha Wilkinson, John Nelson, — Staples, Joe Phillips, Zachariah Phillips, James Little, Andrew Pickens of South Carolina, Joseph Pickens, John Clarke, Owen Fluker, John Fluker, Will Fluker, R. Sutton, Wylie Pope, William Pope, Henry Pope, Burwell Pope, Richard Tyner, Absalom Bedell, Benjamin Catchings, William Downs, Henry Manadine, Scott Redden, Joseph Scott Redden, George Redden, Jacob McLendon, George Walton, a cousin of the Signers, Jesse Walton, John Walton, Nathaniel Walton, Robert Walton, Daniel Burnett, Ichabod Burnett, John Burnett, Richard Aycock, Robert Day, Joseph Day, John Gorham, Dionysius Oliver, Daniel Coleman, John Coleman, Thomas Stroud, James McLean, Jacob Ferrington, William Bailey, John Glass, Thomas Glass, Charles Beddingfield, William Harper, Robert Harper, John Crutchfield, Francis Triplett, James Alexander, John Candler, — Cade, — Bridges, Captain Anderson, Ambrose Beasley, Jeter Stubblefield, John Lamar, James Lamar, Zachariah Lamar, Basil Lamar, L. Williamson, — Saffold, — Finley, — John Hill, John Lindsey, William Morgan, William Terrell, John Colley, Nathan Smith, — Marbury, — Walker, — Combs, Stephen Evans, William Evans, John Evans, — Cosby, — Foster, — Montgomery, James White, — Arnold, — Truitt, — Snow, John Chandler.—Ibid. Vol. I.

ELIJAH CLARKE: THE BEDFORD FORREST OF THE REVOLUTION.—Stern and relentless—a besom of destruction to the foes of liberty—Elijah Clarke was the most colossal figure of the Revolutionary war period in Georgia. He was only an unlettered man of the frontier; but he possessed the rugged elements of strength which made him a leader in times of great stress. When the tocsin of war sounded, the genius of command arose within him; and, without waiting to receive a commission, he gathered about him a band of sturdy woodsmen, like himself, whom he trained for combat in the verdant arenas of the forest. During the dark days of the struggle for independence when Toryism, drunk with power, unloosed the furies of war upon the state, it was to this singular man of destiny that the whole of the up-country turned for deliverance as if by a sort of common instinct; and he became literally a pillar of fire in the wilderness. He gave the Tories no quarter; and backwoodsman though he was, his burly arm of strength was felt across the seas, where it planted the challenge of the Georgia forest on the very steps of the English throne.

Little is known of the early life of Elijah Clarke. Beyond the fact that he was born in Edgecombe County, North Carolina, in 1733, there is nothing definite to be gleaned from the records. Equally silent is the voice of history in regard to his lineage, though he is supposed to have been of Scotch-Irish extraction. The family located in what is now Wilkes, on the lands purchased by Governor Wright, in 1773,

from the Indians. Since there were no formal grants made at the time, the settlers were free to locate where they chose, but they were forced by the exigencies of frontier life to fortify themselves against dispossession by exhibiting shot-gun titles. The Indians learned to dread the austere North Carolinian long before his sword was unsheathed against the red-coats of King George the Third.

It was in command of a body of horsemen that this bold knight of the up-country first appeared upon the scene in the opening drama of hostilities with England. We find him at this time guarding some wagons which were loaded with supplies for the little army at Savannah. Attacked by Indians while crossing a stream, a severe contest ensued, but the skirmish ended in the flight of the savages. Not long after this encounter, he joined General Howe in the latter's ill-timed expedition against St. Augustine and was severely wounded in the disastrous fight which followed. He then returned to his home in the up-country, where the deep solitude of the forest seemed to hide him, until the invasion of Georgia by the British, when first Savannah and then Augusta lowered the patriotic flag. To complete the subjugation of the state, a body of Tories under Colonel Boyd was dispatched to take possession of the forts on the frontier.

But in the meantime Colonel Clarke was not idle. When word came of the fall of Savannah he knew what it meant. Georgia was soon to be overrun by her enemies. He was still nursing an old wound; but he no sooner heard the news than he reached for his sword which hung upon the walls of his cabin. At the same time he strapped his trusty rifle across his shoulders. Then committing his loved ones to the care of Providence, he mounted his horse and rode day and night over the country, gathering together his little band of patriots. At the head of his troops he then hastened to join Dooley and Pickens in bidding defiance to the invader. The two hostile armies met at Kettle Creek, not far from the present town of Washington, where, by the shrewd foresight of Elijah Clarke, in seizing a strategic point in the enemy's rear, the tide of battle was turned in favor of the Americans. Colonel Boyd was mortally wounded, his army annihilated, and Toryism in Georgia for a season at least overthrown.

However, Colonel Innis, a Scotch loyalist, was soon dispatched to the frontier, giving rise to another series of engagements. For months, at the head of his little band of patriots, Clarke waged a guerilla warfare, spending most of his time in the swamps. He scarcely knew what it was during this period to sleep with a roof over his head. Often he was face to face with hunger. The weariness of exhaustion if not of discontent began to show itself in the haggard features of his troops. But in the end Innis was routed and, on to Augusta, Clarke led his victorious men of the woods. He knew that permanent peace could never come to the up-country until this stronghold was recovered. So, mustering strength for the decisive blow, he hurled himself against the town. Success was almost at hand. In fact, he was temporarily in possession, when the British garrison was unexpectedly re-enforced. The torture of Tantalus seized the backwoodsman at this sudden turn of affairs, but realizing the futility of further efforts in this direction, he withdrew to await future developments.

It was at this critical moment when Toryism was again threatening Upper Georgia that Elijah Clarke collected the helpless women and children of the Broad River settlement, and, with the aid of Col. William Candler, conveyed them over the mountains to the Watauga valley in the extreme northeast corner of Tennessee. This humane task having been successfully accomplished, he was soon back in the midst of the fighting. Though not in actual command, it was Colonel Clarke, at the head of his Wilkes riflemen, who won the day in the battle of Blackstocks in South Carolina, by skillfully turning the enemy's flank. Again wounded at Long Cane he had scarcely recovered before he was seized by an attack of small-pox. But he was nevertheless on hand at the siege of Augusta, where the final consummation of his dream was realized in the hoisting above the fort of the triumphant American colors.

As a reward for his gallant services in the Revolution, the State of Georgia gave him a commission as major-general and a handsome grant of land. He was also chosen to represent the state in treaty negotiations with the Indians. Whenever there was trouble in Upper Georgia, the settlers turned instinctively to Elijah Clarke; and some few years later, at the battle of Jack's Creek, with his son, John Clarke,

then barely more than a lad, nevertheless a fighter and a veteran of the Revolution, he added another trophy of war to his belt of victories.

Then came an episode in the career of Elijah Clarke which has somewhat eclipsed and darkened his fame as a patriot, viz., his effort to establish a trans-Oconee republic and his connivance with foreign powers. But nothing in the way of real dishonor attaches to his motives even in these transactions, not withstanding the odor of treason which seems to invest them. He was an old soldier who had never cultivated the grace of restraint and who had always commanded an independent body of troops, subject to no higher power than himself, and he merely sought in his own way to rid Georgia of the incubus of an Indian problem. The fact that two European powers made overtures to him is testimony of the most pronounced character to his military genius. Misjudged by his friends and maligned by his foes, General Clarke retired to his home in Wilkes, where death eventually brought him "surcease of sorrow." He died on January 15, 1799. His last will and testament is on record in the County of Lincoln; and, while there is no positive evidence in regard to the place of his burial, the local traditions point clearly to Lincoln, which was cut off from Wilkes soon after the decease of the old hero.

Iron and velvet were strangely mixed in the character of this singular man. His life presents an enigma, in the solving of which the historians are at sea. He was the very embodiment of gentleness in shielding the defenseless women and children of the Broad River District, but in dealing with the Tories there was no milk of human kindness in his breast. To the quality of mercy he was an absolute stranger; and Shylock himself was not more remorseless in exacting his pound of flesh from the "Merchant of Venice." He squared accounts with the Tories by pinning them to the letter of the Mosaic law—"an eye for an eye and a tooth for a tooth." But when we remember what he suffered at the hands of the Tories, who turned his family out of doors, who burned his home to ashes, who murdered an inoffensive son in the presence of his wife, and whose hands were red with the blood of babes in the cradle, we can hardly blame him for registering an oath to be revenged upon the perpetrators of deeds so foul in the face of heaven. Without training in the school of arms—an uneducated rustic—he was not unlike the great Confederate horseman, Gen. N. B. Forrest. In the opinion of not a few critics the latter was the foremost soldier of the Civil war; and there will be no one to challenge the statement that among the soldiers of Georgia in the American Revolution the stalwart form of the victor of Kettle Creek lifts by far the loftiest plume.—"Georgia's Landmarks, Memorials and Legends," L. L. Knight, Vol. I.

THE TORIES: GEORGIA'S REIGN OF TERROR.—In proportion to the population there were more Tories in Georgia than in any other state. Some of them were no doubt honest people, who really believed that the Americans were wrong in rebelling against the English government; but many of them were mean and selfish men, who only wished to be on the strong or winning side. By the British subjugation of Georgia nearly all of the patriots of fighting age were driven out of the state, leaving their property and their helpless families behind, and the Tories remained unmolested at home. James Wright, the royal governor, came back from England and was once more placed at the head of the Georgia government.

By the 1st of February, 1779, the British were in almost complete possession of the state. The commander, Colonel Campbell, issued a proclamation calling on the people to take the oath of allegiance to the King and Government of England. He promised that those who would take the oath should not be molested but declared that those who refused would be driven from the colony and what property they left would be confiscated. Frightened by this threat, a great many people took the oath and became British subjects; these people were called Tories. But many refused to take the oath because they would rather suffer banishment, or even death, than give up the heroic struggle for independence; these were called Patriots. So the people of Georgia were divided into these two parties, Tories and Patriots, and they hated each other with a bitter hatred.

Soon after the fall of Savannah, a reign of terror was inaugurated. Between the British and the Tories, there was no end to the suffering inflicted upon the state; but the Tories were far worse than the British. They formed themselves into military companies, which were nothing more than bands of ruffians. They roved over

the country on horseback and on foot, committing all sorts of outrages, robbing the people, burning houses, throwing old men into prison, insulting women, hanging every patriot soldier they could lay hands upon, sometimes even murdering children, and showing no mercy to any one who favored the American cause. In no other state were the Tories so wicked and cruel as in Georgia. They were even worse than the savage Indians, whom they employed to help them.

The worst of these Georgia Tories was a man by the name of Thomas Brown. He had always been a Tory; and in the early days of the Revolution he had made himself so obnoxious to the patriotic people of Augusta, where he lived, that one day a crowd of men dragged him out of his office, and, stripping him to the waist, poured over his naked body a pot of soft tar, and then over the tar emptied a pillow case full of feathers, which stuck to the tar and made poor Brown look like a big, ugly, frizzled chicken. Thus tarred and feathered, they seated him in an open wagon drawn by three mules and hauled him about the streets of Augusta, while a great crowd followed with hoots and jeers. After parading him for an hour or two they turned him loose with the warning that if he did not leave town within twenty-four hours they would kill him. For quite a while Brown kept his negro servant busy washing the tar and feathers from his body; then he put on his clothes, and, raising his right hand toward heaven, he took a solemn oath that he would be avenged for this great shame and outrage. He left; but many months afterwards he came back, and how well he kept his oath is a story written in blood!

It was when Georgia fell into the hands of the British that Brown came back, and soon he became the chief leader of the Tories in the state. He was a well educated, intelligent man, and possessed military skill, so that he was made a colonel in the English army, and was placed in command of Augusta, his old home. The force under him was composed of about half and half of Tories and Indians. His opportunity had now come. All of the Patriots of fighting age had left Augusta and were in the American army. Brown confiscated their property, threw their old gray-haired fathers and grandfathers into prison, expelled their helpless wives and children from home, and drove them 200 miles away into North Carolina. The sufferings along the journey were awful. Some of them died from exposure and exhaustion, and many were made invalids for life by the hardships endured on the dreadful march.

In September, 1780, Gen. Elijah Clarke, with a small army of patriots, undertook to recapture Augusta. He succeeded in driving Brown's army out of the city, and they took refuge in a large building just outside of the town known as the White House. Brown had the doors and windows barricaded and bored holes in the walls, through which his marksmen, with long-range rifles, held the Americans at bay. The building was completely surrounded by the patriots, but General Clarke had no cannon with which he could batter down the house, so he had to depend upon starving out the Tories. For four days and nights he held them besieged, till provisions were nearly exhausted, and every drop of water was gone. In one of the large upper rooms of the house lay forty poor, wounded Tories, with no medicines and no bandages or salves for their wounds and not a drop of water to appease their feverish thirst. Even in the American camp their shrieks of agony and their wild cries for "water! water!" could be plainly heard. Brown himself was severely wounded, shot through both thighs, and was suffering dreadfully; but he never gave up. He had himself carried round from room to room in an arm-chair to direct and encourage his men, who were nearly crazed with exhaustion. General Clarke sent a flag of truce to the unsubdued officer and begged him in the name of humanity to surrender, but he positively refused. He was as brave and heroic as he was bad and cruel.

At last, on the morning of the fifth day, the relief for which Brown had been looking came. Colonel Cruger, with a large detachment of British regulars, suddenly appeared on the other side of the river, in response to a secret message which Brown had sent to him, on the day he left Augusta. General Clarke, knowing that he could not contend against this large force, withdrew his army and quickly retreated. Left behind him thirty wounded Americans who were unable to march, supposing, of course, that they would be treated as prisoners of war. He knew not then the cruel heart of Thomas Brown, though he afterwards learned to know it well.

Selecting thirteen of the wounded American soldiers, Brown caused them to be hanged from the high balustrade of the staircase in the White House, so that he might witness the dying agonies of these men as he lay on his couch in the hall below. And as each victim was pushed from the balustrade and fell with a dull thud at the end of the rope, Brown would utter a grunt of satisfaction. He turned the rest of the prisoners over to the tender mercies of the Indian allies, who, forming a circle around them in the front yard of the White House, put them to death by slow and fiendish tortures.

When, in 1781, Augusta was at last captured by the Americans, Brown was taken prisoner. Knowing that if the soldiers could put hands on him they would tear the poor fellow limb from limb, the American commander had him carried down the river in a boat under a strong guard. It is strange that he was not court-martialed and hanged, a fate which he richly deserved. The Americans were too merciful to him. Brown was afterwards exchanged and rejoined the British army, and till the end of the war continued his fierce fighting and cruel work. After the war was over, realizing that he could not live in America, he took refuge in England. There, in the year 1812, he was convicted of forgery and thrown into prison, where he ended his infamous life in disgrace and ignominy.

Colonel Grierson was another bad Tory, and Brown's right-hand man. They were two of a kind, companions in arms and companions in cruel deeds. Never was there joined together, in the commission of lawlessness, two men worse than Brown and Grierson, the Georgia Tory. Grierson, like Brown, was a colonel in the British army. Fort Grierson, at Augusta, was named for him. It was one of the strongest forts in Georgia, and around it, at the siege of Augusta, was fought one of the bloodiest battles of the Revolution in the state. When Augusta was captured by the Americans, Grierson, like Brown, was taken prisoner. To save him from being mobbed by the soldiers, the American commander had him hidden away in a little house some distance from town and placed a strong guard around him; but suddenly, about twilight, a soldier on horse back galloped up and, before the guards knew what he was about, threw his gun to his shoulder, shot Grierson through the window, and then, wheeling, galloped away. During the night, in dreadful agony, Grierson died of the wound. The man who shot him was supposed to be Samuel Alexander, the son of John Alexander, an old man seventy-eight years old, whom Grierson had treated with savage cruelty, when he and Brown held sway in Augusta. Young Alexander was never arrested or tried for the deed.

Daniel McGirth was another notorious Tory of Georgia. Unlike Brown, he was an ignorant, uneducated man; and, unlike Brown, too, he started out as an ardent patriot. He was born and reared in South Carolina and was a good frontiersman, as active and lithe as a panther. He was also a fine horseman and a splendid shot, and was among the first to take up arms in the American cause. Somehow he drifted into South Georgia, where he belonged to the little band of patriots who so bravely resisted the invasion of the British from Florida. He acted as a scout and spy for the Americans, and he rendered them most important service.

McGirth brought with him from South Carolina a thoroughbred horse, of which he was very proud. She was an iron-gray mare with a snow-white blaze in her forehead, and he called her Gray Goose. She was considered the finest horse in the American army, beautiful, intelligent, and swift as the wind. A captain in the American army took a great fancy to the animal and tried to buy her from McGirth, offering him a large price, but McGirth refused to part with her. This angered the captain, who, out of spite, mistreated McGirth in many ways, as an officer can mistreat a subordinate, if he chooses. McGirth was a high-spirited fellow. Irritated beyond endurance, he one day insulted the officer and raised his arm to strike him; but some one intervened and stopped the blow. Now, to strike a superior officer is a grave crime in the army, so McGirth was tried by court-martial and sentenced to receive ten lashes with a cowhide on his bare back three days in succession. The first whipping was administered and he was put into the guard house to await his second humiliation. The feelings of this high-spirited man can be imagined, as he paced up and down in his cell and brooded over the bitter shame to which he was being subjected.

About twilight, as he was gazing through his prison bars, McGirth spied Gray Goose, hitched to a tree not far away. He gave a low, peculiar whistle, and Gray

Goose, recognizing the signal, raised her beautiful head and uttered an affectionate whinny in response. This was more than he could stand. With a broken trowel which he found in his cell, he tore the masonry from around the prison bars; then, with almost superhuman strength, he pulled out one of the bars and, through the narrow crack, squeezed his long body and, rushing out, sprang on Gray Goose and dashed away. The guards called to him to halt, but he only shook his fist at them and yelled a dreadful curse, and plunged into the darkness on his fleet footed steed, heedless of the musket-balls that whistled about his head.

McGirth's whole nature was seemingly perverted by the bad treatment which he had received. He deserted to the enemy and joined the British army, and from then to the end of the war fought ferociously against the Americans. Of course, the bad treatment which he received from the American officer was no excuse, but McGirth was as unprincipled as he was brave and fierce.

He was made a colonel in the British army and put at the head of a powerful Tory band, which for many months was the scourge of the state. He was a perfect ruffian in his manner of warfare. From the Florida line to Elbert County and over into South Carolina his name was a terror to the people. Many were the fearful stories told of McGirth and his blaze-faced horse. A whole book might be written about his daring deeds and his inhuman cruelties. He was twice wounded, but was never taken prisoner. A big reward was offered for his capture, and thousands were trying to catch him and often had him in a tight place; but in every emergency he was saved by the fleet foot of his best friend, Gray Goose.

After the war was over, he went to Florida, which was then owned by the Spaniards. For some offense or crime there he was arrested and thrown into prison in the old fort of St. Augustine. After an imprisonment of five years he was released, but he was so weak and broken in health that he could barely drag himself back to his wife in his rude country home in Sumter District, South Carolina. There he soon died in peace, and there he now lies buried.—"Stories of Georgia History," J. Harris Chappell.

But there were some Tories of an altogether different pattern. Mr. John Couper, in a letter written when he was eighty-three years of age and dated St. Simon's Island, April 16, 1842, narrates an anecdote of the famous and eccentric Capt. Rory McIntosh, who was attached as a volunteer to an infantry company, at the time of the siege of Fort Morris. The company was within the lines which Colonel Fuser had thrown around the fort and the adjacent town of Sunbury. Early one morning when Rory had made free with mountain dew, he insisted on sallying out to summon the fort to surrender. His friends could not restrain him, so out he strutted, claymore in hand, followed by his faithful slave Jim, and approached the fort, roaring out:

"Surrender, you miscreants. How dare you resist his Majesty's arms!"

Col. John McIntosh, his kinsman, was in command of the fort, and, seeing his situation, he forbade any one firing, threw open the gate, and said:

"Walk in, Mr. McIntosh, and take possession."

"No," said Rory, "I will not trust myself among such vermin; but I order you to surrender."

Just then a rifle was fired, the ball from which passed through his face, sideways, under his eyes. He stumbled and fell backwards, but immediately recovered, and flourishing his sword retreated. Several shots followed. Jim called out: "Run, massa, run, dey kill you."

"Run, poor slave," indignantly exclaimed Rory; "thou mayst run, but I come of a race that never runs."

Jim stated to Mr. Couper that, in rising from the ground, his master put his hand for the first time to one of his cheek-bones and, finding it bloody, he raised it to the other also; both were covered with blood. He backed safely into the lines.

NANCY HART'S BRAVE EXPLOIT.—Among the heroines of history an exalted rank must be assigned to the Boadicea of the Revolution—Nancy Hart.* Born of the

* White, Historical Collections of Georgia."

† Nancy Hart's maiden name was Nancy Morgan. She came from North Carolina, and is said to have been related to Gen. Daniel Morgan, of the Revolution. Her husband, Capt. Benjamin Hart, came from Kentucky; and his brother, Thomas Hart, was the father-in-law of Henry Clay and the uncle of Thomas Hart Benton.

race of Amazons, she was one of the most courageous masterpieces of her sex; but for much of her prestige in the war department she was indebted to an unheroic blenheim which would have kept Helen of Troy safe in Sparta, prevented the Trojan war and robbed the classic world of Homer's Iliad. Moreover, it would have rendered an Egyptian queen as unattractive to the eyes of courtship as was ever an Egyptian mummy of the Hyksos dynasty; it would likewise have spoiled the Biblical legend of Queen Esther and mutilated the exquisite romance of Mary Queen of Scots.

She was cross-eyed!

Some one has said that if Cleopatra's nose had been slightly tilted it would have changed the countenance of medieval times. It sounds suspiciously like Douglas Jerrold. Certainly it is true that if the ill-starred Empress had been cross-eyed she could never have captivated the famous general who, lured by the fatal charm of beauty, scorned the plebeian flowers of the Tiber to pluck the imperial blossom of the Nile; and equally is it true that unless the Georgia war-queen had been cross-eyed she could never have held five British officers at bay with an old blunderbuss which might have hung fire when she tried to shoot.

It was during the troublous days of Toryism in Upper Georgia that Nancy Hart, in an humble cabin of the backwoods, electrified the whole tragic theater of war with the story of her bold capture. Up to this time, it surpassed anything in the entire Revolutionary annals; and, calling across the sea to France, it challenged the prowess of the Maid of Orleans. Both Savannah and Augusta had become the strongholds of the British; and all the frontier belt had commenced to swarm with Tories, whose battle-cry was havoc. Gen. Elijah Clarke had recently transported most of the women and children of the Broad River settlement to the Holston region of Kentucky, preparatory to waging direful warfare against the human wolves and jackals that infested the thickets of Upper Georgia at this period. But Nancy Hart had not traveled in the wake of the noted rifleman. She may have had some intimation of the part which she was expected to play in the Tory extermination. At any rate, she was squared for action when the curtain rose upon the little drama which was destined to exhibit her feminine pluck in the most amazing degree, and to start her hitherto unheralded name upon the circuit rounds of Christendom.

Suggestive as the situation was of danger for the live targets who shivered in front of the fowling piece, it was also spiced with some flavor of humor to behold five Tory protectors of the realm terrorized by an undaunted edition of Georgia pluck, who, instead of wearing the spike-tail of the Continental army, wore the petticoat of the calico brigade. Given to bloody deeds of violence as the Tories were, they were like helpless babes in the wood as they stood before the flashing eyes of this war-shod Diana of the forest. They were naturally perplexed. Never before had they looked into the barrel of an old shotgun behind which were stationed such an infernal pair of optics. If red-hot coals had risen from the ground underneath and taken the place of eyeballs in the grim sockets above the cheekbone, they could not have flashed more defiantly the brimstone message of the lower world. It was undeniably an embarrassing moment; for each member of the squad thought in his consternation that she was aiming her buckshot at him, and, like an upright piece of lumber whose business it was to prop the ceiling, he stood riveted to the floor.

At last one of them, recovering from the paralytic spell, ventured forward to wrest the weapon from her hand, but instantly as lightning he received the leaden charge into his bosom and fell lifeless upon the timbers. Before another member of the party could advance, she had snatched another musket and proceeded to hold herself in readiness for the second victim. But he was loath to approach, for it was evident at this stage of the game that the lady of the house knew how to shoot. She might appear to be looking in all directions, but she could see straight ahead.

Success now arrived. Captain Hart, having learned of the visit of the Tories, appeared upon the doorstep in good time to see his wife drilling the squad in defensive tactics. But he reached the house none too soon. Time was now most precious. Another moment might have changed the whole aspect of things. Well it was, too, that the sturdy frontiersman brought substantial re-enforcements, for an ill-directed shot might have liberated some of the best blood of the colonies. As it was, with the aid of the stout muscles which the neighbors lent to the task of making the prisoners secure, the entire bunch was captured, and in less than half an hour,

from the ends of good strong pieces of hemp, all of the Tories who survived the little drama in the backwoods cabin were left dancing in mid air to the tune of Yankee Doodle.

Cunning strategy made possible the dramatic situation in which Nancy Hart was enabled successfully to defy the Tory band. She lacked none of the elements of Spartan courage, but, added to the dare-devil spirit of the enraged lioness, she also possessed unusual presence of mind. Under the guise of feminine simplicity, she induced the Tories to believe that she was an easy mark. It seems that the first demand of the visitors, who arrived rather early in the forenoon, was for something to appease the pangs of hunger. Breakfast had already been served, and Captain Hart having rejoined the frontier guard, she was attending to various household duties. But she stopped everything else to serve the travelers in the most obsequious style of the wayside tavern. Not by the least token did she exhibit the weakness of fear or betray the stratagem which was quietly lurking behind her shrewd eyebrows. She disarmed them completely of all suspicion and urged them to feel perfectly at home while she prepared the utensils in the big open fireplace for dispensing warm hospitality to the unexpected arrivals. Lest she might appear to be lacking in courtesy to the strangers she also instructed the children to look after the gentlemen, and busily she applied herself to the task of providing another meal. Finally when the Tories, having stacked arms, were beginning, like Jack Falstaff, "to take their ease in their inn," she managed to engage them in an opposite corner of the room; and, falling back upon her own armory, she snatched an old fowling-piece from the wall and instantly leveled the weapon at the breast-plates of the surprised emissaries of John Bull. As she did so, she dispatched one of the youngsters of the household to the place where Captain Hart could be found, urging him to hasten to the house at once with able-bodied help; and she also stationed her eldest daughter, Sukey, directly in the rear to fill the post of supply agent in the event another load of buckshot was required to keep the visitors bunched until re-enforcements could arrive. Then followed in quick succession the events which have already been narrated. Captain Hart duly came upon the scene; the Tories were made secure, and Nancy Hart lowered her musket. Thus an unprotected woman in the danger-infested thickets of Upper Georgia during the darkest hour of the struggle for independence, had not only outwitted and outbraved the whole band of Tories, but had added another immortal name to the heroic roster of the Revolution.

Though memorialized in the county which bears her name, there seems to be little certainty concerning the precise spot in which the heroine lies buried; but she needs no help from the device of bronze or marble to keep her memory ablaze about the hearthstones of the Georgia commonwealth. She has ever been the fireside favorite of the Georgia home. In the drama of the Revolution she claims the enthusiastic plaudits of the Georgia youngster above all the other characters. She outstrips Washington and outtops LaFayette and surpasses Sergeant Jasper; and, though only an ill-favored country dame, yet in childhood's verdict, hers is the lustiest shout and hers the truest weapon of all the hurrying host whose quick step answered the battle-cry of Lexington.

Granting that her eyes were crossed, they were true enough to sentinel the Georgia forest in the hour of danger, and, like twin stars upon the morning sky, they were glorious enough to light the dawn of liberty. Wherever she lies buried it is hallowed earth in which she rests. Even Westminster Abbey might sue to enshrine the ashes of this homely heroine of the Georgia backwoods, who, on the historic page, shares the austere company of sceptered sovereigns and receives the kneeling vows of subject princes from afar. It is enough to know that the courts of liberty are all the brighter for the luster which she lent to the annals of the Revolution; and, borrowing the beautiful illusion of the old Germanic myth, it is easy to imagine how the entrance to the great Valhalla must have swarmed with the spirits of the brave departed as the Georgia heroine mounted the immortal hill, and how the solitude of Jean d'Arc, unbroken through the lapse of seven centuries, must have brightened with the electric announcement that Nancy Hart had come.—"Reminiscences of Famous Georgians," L. L. Knight, Vol. II.

DEPT. MORRIS: THE LAST TO LOWER THE COLONIAL FLAG.—Occupying an eminence somewhat to the south of old Sunbury, on lands belonging to the Calder estate, are

still to be seen the ruins of the old stronghold which played such an important part in the drama of independence: Fort Morris. Large trees are today growing upon the parapets. Even the footpaths which lead to it, through the dense thickets, are obscured by an undergrowth of weeds and briars, bespeaking the desolation which for more than a century has brooded over the abandoned earth-works. But the massive embankments of the old fort can still be distinctly traced. It commands the entrance to the Midway River, from which, however, both the sails of commerce and the ironclads of war have long since vanished.

To one who is in any wise familiar with the history of the Revolution in Georgia, it is pathetic to witness the wreckage which time has here wrought; but the splendid memories which cluster about the precincts, like an ever green mantle of ivy, are sufficient to fire the duller imagination. There is little hope for the Georgian who can stand unmoved upon these heroic heights. It was here that Gen. Charles Lee assembled his forces for the expedition into Florida. It was here that Col. Samuel Elbert, under executive orders from Button Gwinnett, embarked his troops for the assault upon St. Augustine. It was here that Col. John McIntosh, refusing to surrender the fort to an overwhelming force of the enemy, sent to the British commander his defiant message: "Come and take it!"

But what invests the old fort with the greatest interest perhaps is the fact that when the State of Georgia was overrun by the British, consequent upon the fall of Savannah, it was the very last spot on Georgia soil where the old Colonial flag was still unfurled. Even an order from General Howe, directing an abandonment of the stronghold, was disregarded by the gallant officer in command, who preferred to accept the gage of battle. It was not until beleaguered and stormed and overrun by superior numbers that it finally yielded to the terrific onslaught; and the next memorial erected by the patriotic women of Georgia should be planted upon these brave heights to tell the world that when Savannah and Augusta were both in the power of the British there was still waving from the ramparts of the old fort at Sunbury the defiant folds of an unconquered banner.

It is safely within the bounds of historic inference to state that the famous earth-works must have been constructed at some time prior to the Revolution. There was probably at least an excellent beginning made for the future stronghold on this identical spot.

At any rate, the structure which came to be Fort Morris was erected chiefly by the residents of Bermuda, now Colonel's Island, who, in building it, employed almost exclusively the labor of slaves. It was called Fort Morris, in honor of the captain who here commanded a company of Continental artillery raised for coast defense, on the eve of hostilities with England. The old fort was located about 350 feet outside the southern limits of Sunbury, at the bend of the river. Though an earthwork, it was most substantially built and enclosed fully an acre of ground. It was 275 feet in length on the water front. The two sides were somewhat irregular in shape and were respectively 191 and 140 feet in length. The rear wall was 240 feet in length. The parapets were ten feet wide and rose six feet above the parade of the fort, while the superior slope of the embankment toward the river was twenty-five feet above high water. There were seven embrasures, each about five feet wide. Surrounding the pile was a moat ten feet wide at the bottom and twenty feet wide at the top. The Sally port was in the rear or western wall.

Says Doctor Stacy: "The guns have all been removed. One was carried to Hinesville when the place was first laid off sixty years ago, and has been often and long used on Fourth of July and other public occasions and may still be seen there in the court-house yard. Two of them were carried to Riceboro during the late war between the States, but no use was made of them. Two more were taken by Captain Lamar and, after being used as signal guns at Sunbury, were transported to Fort Bartow at Savannah and fell into the hands of the Federals. Two more were left lying half buried in the soil of the parade ground, and still another in the old field half way between the fort and the site of the town. These have all since been removed. At least the writer did not see them when he visited the spot. One of the two carried to Riceboro was removed by the late Col. Charles C. Jones in 1880 to his home on the Sand Hills near Augusta, and now adorns the lawn in front of the residence which has passed into the hands of his son, Charles Edge-

worth Jones. Like the one at Hinesville, it is undoubtedly genuine: one of the number which took part in the defense of Georgia soil in Revolutionary time."

During the War of 1812, the famous old fortification at Sunbury was remodeled by the local committee of safety and called Fort Defense, but the name soon passed. Capt. John A. Cluthbert organized a company of citizens, some forty in number, while Capt. Charles Floyd commanded a body of students in readiness for an attack. But the enemy failed to appear.—"Georgia's Landmarks, Memorials and Legends," L. L. Knight, Vol. II.

MEADOW GARDEN: THE HOME OF GOVERNOR WALTON.—With the single exception of old St. Paul's, the most ancient landmark of Augusta is Meadow Garden, the home of Gov. George Walton, one of the signers of the Declaration of Independence from Georgia. The structure itself is much older than the present edifice of St. Paul's, the latter having been built in 1819; but since the present church building occupies the site of the original house of worship, it is consequently linked in association with the earliest pioneer days. Meadow Garden is situated on the banks of the Augusta Canal; and here, amid surroundings which suggest an era of industrial enterprise, with its ceaseless hum of spindles and with its mad rush after things material, this quaint old mansion preserves the antique look of the olden times. It is not known when the present building was erected; but Governor Walton was living at Meadow Garden in 1797, according to his own statement made in letters which have been preserved; and, moreover, it was from Meadow Garden that the old patriot, in 1804, was borne to his burial. The remains of Governor Walton were first interred in the Cottage Cemetery, on the old Savannah Road, some seven miles from Augusta; and here they rested until 1848 when the body was exhumed and placed under the monument erected to the signers, directly in front of the court-house in Augusta, where today sleeps the illustrious citizen who held nearly every important office in Georgia's gift.

There is not perhaps in the entire State of Georgia a shrine of historic memories more frequently visited by tourists. This is because it is one of the few homes in America whose connection with the Colonial period can be distinctly traced. It was here that much of the social life of two centuries ago centered. Its spacious hallway—its antique furniture—its open fireplaces—its atmosphere of dignified repose—these all bespeak the time when knighthood was in flower. It carries the imagination back to the days when the belles of Augusta danced the minuet—to the days when the powdered wig and the knee-buckle were worn by an old-fashioned gentry whose stately forms have vanished. The abodes of most of the signers of the Declaration of Independence have long since crumbled into dust. Time has not dealt kindly with them; but around the hearthstones of Meadow Garden still linger the recollections of an old patriot whose name is attached to the immortal scroll of freedom.

It is not invidious to state in this connection that the credit for the restoration of Meadow Garden belongs to an Augusta lady whose unwearied exertions were devoted to the cause, without a moment's rest or relaxation, until success at last crowned it—Mrs. Harriet Gould Jefferies. She first conceived the idea soon after joining the Daughters of the American Revolution, during the infancy of this patriotic order. The famous old landmark was rapidly falling into decay, when Mrs. Jefferies came to the rescue. The task of preserving it became literally her pillar of cloud by day and her pillar of fire by night. She first turned to the City of Augusta. But the commercial spirit was dominant in its councils. The town was deaf to the claims of its old Revolutionary patriot. She then turned to the National Society of the Daughters of the American Revolution. Here another defeat was encountered. But she retired from the contest only to renew the gage of battle. At the next annual meeting she won. The opposition was pronounced. Even the president general was antagonistic; but the majority was on the side of Mrs. Jefferies. Thus the home of George Walton became the property of the National Society of the Daughters of the American Revolution. In due time the old Colonial mansion was opened to the public, its original features having been fully restored. The wisdom

* James Stacy, in "History of Midway Congregational Church," pp. 232-238; Charles C. Jones, Jr., in Chapter on Sunbury, in "Dead Towns of Georgia."

of the purchase has been amply justified by results. It has become the depository of many precious relics and mementoes of the struggle for independence. Nor is the portrait of Mrs. Jefferies which hangs upon the walls accounted among the least of the treasures of Meadow Garden. In presenting it to the board of management, an eloquent address was made by the distinguished Mrs. S. B. C. Morgan, one of the charter members of the national organization.—"Georgia's Landmarks, Memorials and Legends," L. L. Knight, Vol. II.

THE CONSTITUTION OF 1777.—The first constitutional convention of Georgia met in Savannah on the first Tuesday in October, 1776. No journal of its proceedings is in existence, and no list of its members can be found. All that remains is the result of its labors—the Constitution of 1777, which was not finally adopted and promulgated until the 5th day of February of that year. Many of its provisions still survive in the organic law of the state.

The first article consists of the celebrated Maxim of Montesquieu concerning the separation of the executive, legislative and judicial branches of government, which is expressed in these words: "The legislative, executive and judiciary departments shall be separate and distinct so that neither exercise the powers properly belonging to the other." It was provided that the governor was to be elected by the Legislature, and an executive council was to be chosen by it out of its own members; the executive prerogative of pardon was limited by the denial of the right in the governor to grant pardons and remit fines, leaving him only with the authority to reprieve criminals and suspend fines until the meeting of the assembly, when the granting or refusing of the pardon or the remission of the fine was to be finally determined by that body; and the power of appointing justices of the peace and registers of probate was exercised by the Legislature. It may be observed, however, that under this Constitution the governor was without a legislative function which has been conferred upon him by later Constitutions—that of the veto. Laws passed by the Assembly were referred to the executive council for their examination in order that they might propose alterations or amendments, but the council was required to return such laws within five days with their remarks thereon, and the final passage or rejection of the law rested with the Legislature.

This Constitution contained no separate declaration or bill of rights, but the liberties of the people, in six most important particulars, were enclosed within constitutional bulwarks by provisions guaranteeing "the inherent privilege of every freeman—the liberty to plead his own cause;" protection against excessive fines and excessive bail; the benefit of the Habeas Corpus Act; the freedom of the press; and the right of trial by jury. The freedom of religious belief and "the free exercise of religion (not repugnant to the peace and safety of the State)" was guaranteed, and the church was practically disestablished by the provision that no persons unless by their consent should "support any teacher or teachers except those of their own profession."

Under the provincial government in Georgia, residence in the parish in which he desired to vote was one of the qualifications of an elector, but the franchise was limited to those who owned as much as fifty acres of land in the parish. The Constitution of 1777 conferred the franchise upon "All male white inhabitants of the age of twenty-one years, and possessed in his own right of ten pounds value, and liable to pay tax in this State, or being of any mechanic trade, and shall have been resident six months in this State."

The Constitution of 1777 was a constitution very nearly in the strict sense of that term; that is, its provisions were almost entirely fundamental and it contained little matter of a legislative character. The most notable exceptions were the provisions for the stay of executions; the limitations upon court costs; and the pendency of cases in the Superior Court; the provision against the entailing of estates and the establishment of rules of inheritance. The Legislature was given the broad power "to make such laws and regulations as may be conducive to the good order of the State; provided such laws and regulations be not repugnant to the true intent and meaning of any rule or regulation contained in this Constitution." But practically no limitations were laid upon the legislative powers except as the subject matter of legislation was already occupied by the creation of the organic laws contained in the Constitution and by the provision for the separation of the legislative, executive and

judicial departments which we have seen the Constitution itself did not strictly adhere to, and such further limitations as were contained in the six provisions already referred to as constituting the bill of rights of this Constitution. It provided that schools should "be erected in each county and supported at the general expense of the State," as the Legislature should point out and direct. No provision was made by this Constitution for the creation of a state institution of higher learning, and by an act entitled "An Act for the more full and complete establishment of a public seat of learning," passed on January 27, 1785, there was created what is now the University of Georgia, the first chartered State University in America.

The salaries of the public officers were left to be fixed by law. No limitations were laid upon the powers of taxation either as to amount or as to the manner of its exercise. A comparison with the Constitution adopted a century later will show how little comparatively the domain of legislation was encroached upon. Besides the largeness of its legislative powers, the Legislature performed other important duties of a political, administrative and judicial nature, such as the election of the governor and the appointment of the governor's council; the appointment of registers of probate and of justices of the peace; the admission of attorneys at law to practice before the courts of the state, their trial and suspension for malpractice, and the right to call every officer of the state to account.—"McElreath on the Constitution," pages, 67-77.

LEGISLATIVE HISTORY DURING THE REVOLUTION.—The government of the state continued to be administered by the president and the council of safety until the convening of the General Assembly and the organization of the government under the new Constitution. During the latter part of February, 1777, the president, Archibald Bullock, died, and Button Gwinnett was elected by the council of safety as president and commander-in-chief to succeed him. The Constitution having been proclaimed, President Gwinnett issued his proclamation ordering elections to be held under the Constitution in all of the counties for members of a General Assembly to convene in Savannah on the 8th day of May, 1777. The elections were held in accordance with this proclamation, and the Legislature met at the time and place designated. It promptly entered upon the task of organizing the government by the election of John Adam Treutlen, governor; Noble Jones, speaker of the House of Assembly, and Jonathan Bryan, John Houston, Thomas Chisholm, William Holzendorf, John Fulton, John Jones, John Walton, William Few, Arthur Ford, John Coleman, Benjamin Andrew and William Peacock, members of the executive council. This Legislature remained in session almost continuously until September, and enacted a number of laws necessary to put the government under the Constitution into operation, and to provide for the public defense. One of the first of these laws was "An Act defining Treason," aimed at the "Tories," who took sides against the state and aided or abetted its enemies in the war with Great Britain.

The second Legislature under the Constitution met in Savannah on the 6th day of February, 1778, and on the 10th day of that month elected John Houston, governor. The first act passed was a bill of attainder, approved on the first day of March, 1778, attainting Sir James Wright and 116 other persons of high treason, and declaring their estates, both real and personal, confiscate to the state. After Savannah fell on the 29th of December, 1778, Governor Wright returned and reestablished the royal government, and in March, 1780, writs of election were issued for the election of a Commons House of Assembly, returnable on the 5th of May. The election was accordingly held and on the 9th of May the house was organized, although a constitutional quorum was not present, the governor and council deciding, "That, from the necessity of the thing, they should be taken as a house and proceed to business." The two principal bills passed by this house were "An Act to Attain of high Treason the several persons hereinafter named, who are either absent from this province, or in that part of it which is still in rebellion against his Majesty, and to vest their real and personal estate in his Majesty, etc.," and "An Act to disqualify and render incapable the several persons hereinafter named, of holding or exercising any office of trust or profit in the Province of Georgia." The first of these acts contained the names of twenty-four civil and military officers of the state, and the latter act contained the names of 151 officers and citizens who had espoused the cause of the republican government.

From the fall of Savannah the republican government of Georgia for some time lead an uncertain and fugitive existence. Governor Houston and the executive council withdrew to Augusta and summoned the General Assembly to meet in January to elect a governor, but within ten days the City of Augusta was taken by the British. After the abandonment of Augusta the Legislature met there, but did not have a quorum. However, like the Royal Assembly in Savannah, they organized in August, 1779, and elected a new executive council and elected John Wreath as president of the council, and authorized him to act as governor. On the 4th of November he issued a proclamation calling for a regular election on the first Tuesday in December for members of a General Assembly to meet in Augusta, in January, 1780, and authorizing the citizens of the southern counties which were under the occupation of the British to cast their votes for delegates wherever it might be most convenient for them to do so.

A faction led by George Walton declared the election of Wreath and the council as "illegal, unconstitutional and dangerous to the liberties of the state," and notwithstanding the executive council had issued their writs of election for deputies to the assembly as provided by the Constitution, these malcontents called upon the people to choose delegates to an assembly to be convened in Augusta in November, 1779. The friends of Walton met in Augusta on the 4th of November and elected him governor for the remainder of the year. Thus, in the most critical period of her history, when patriotism should have been united, the state had, for a month, two acting governors. The General Assembly met in Augusta on the 4th of January, 1780, and elected Richard Howley governor. On account of the defenseless condition of Augusta, the General Assembly designated Heard's Fort, where Washington, Wilkes County, now stands, as the capital of the state, if it should be necessary to remove the seat of government from Augusta. The necessity arose within a month and Heard's Fort became the temporary capital of the state. When Augusta was recaptured, the capital was reestablished at that place, where the Legislature met in August, 1781, and elected Nathan Brownson governor. In January, 1782, the General Assembly met in Augusta and elected John Martin governor. When General Wright surrendered the City of Augusta and returned to England in May, 1782, the governor and the General Assembly returned to that city, and it became again the seat of government.

On the 4th of May, 1782, the Legislature passed an act entitled "An Act for inflicting penalties on, and confiscating the estates of such persons as are herein declared guilty of treason, and for other purposes therein mentioned," by which 280 persons who had aided and abetted the royalists' cause were banished from the state on the pain of death if they returned, and their estates declared confiscate to the state. This and similar acts passed by the legislatures of other states in the heat of resentment at injuries and cruelties inflicted upon them were the occasion of the fifth article in the treaty of Paris, and served, when the passions of the times had somewhat cooled, to warn the people of the danger of such a power, and contributed to the prohibition by the Federal Constitution of bills of attainder and the passage of ex post facto laws, and to the incorporation of similar prohibitions in the Constitution of Georgia.—"McElreath on the Constitution," pp. 78-81.

CHAPTER IV

THE SIEGE OF SAVANNAH, CONTINUED—DISAPPOINTMENT AT THE DEFEAT—COLONEL WHITE'S GALLANT EXPLOIT—SERGEANT JASPER—THE SIEGE AND CAPTURE OF AUGUSTA—NANCY HART—CORNWALLIS OVERTHROWN AT YORKTOWN—GENERAL WAYNE ENTERS SAVANNAH—THE STRUGGLE FOR INDEPENDENCE ENDS—CONCLUDING REMARKS.

NOTES: THE STORY OF AUSTIN DABNEY—COLONEL JOHN WHITE—EBENEZER IN THE REVOLUTION—GEORGIA JEWS IN THE REVOLUTION—GEORGIA PATRIOTS OUTLAWED BY THE TORY GOVERNMENT—THE STEWART-SCREVEN MONUMENT—THE DEATH OF GENERAL SCREVEN—HEARD'S FORT.

(This chapter prepared by Charles Edgeworth Jones, Esq.)

Contemporaneously with the ill-advised acquiescence on the part of D'Estaing, occurred his junction with General Lincoln and his Continentals. Unconscious of the impending tragedy, so soon to be enacted, the last-named were hilarious over their prospective triumph. While they were intent on this profitless rejoicing, their antagonists were most active, and were bending their every effort toward supplying their existing deficiencies. Besides the cannon already in position around Savannah, 100 more were now added; the warships being stripped of their batteries in order that the latter might be utilized for the armament of the earthworks. The protections of the southern, eastern, and western exposures of the town were also greatly strengthened; and such was the progress made, that before the truce had expired, and fire had opened, the British had constructed thirteen substantial redoubts, and fifteen gun batteries mounting eighty cannon, field-pieces being distributed at regular intervals. Furthermore, ships were sunk in the channel, above and below the beleaguered city; and, as a result, the hostile ascent of the stream was effectually precluded. With a view to increasing the numerical strength of the defenders, all troops were recalled from outlying posts. Lieutenant-Colonel Cruger, with his contingent, being withdrawn from Sunbury, and Colonel Maitland, with his strong detachment of 800 men, being summoned from Beaufort. Says Major McCall, in alluding to the circumstance: "The acquisition of this formidable re-enforcement, headed by an experienced and brave officer, effected a complete change in the dispirited garrison. A signal was made, and three cheers were given, which rung from one end of the town to the other."

On the receipt of Prevost's unfavorable response, the siege was at once resolved upon by the allied commanders, who, accordingly, made

preparations for the thorough investment of the town. By the 23d of September, all their dispositions had been perfected; and on the same day occurred the first skirmish between the opposing armies. During the night of October 1st, Colonel John White, with the aid of five associates, achieved an exploit of a truly remarkable character; he with a handful of comrades effecting the capture of a detachment of 111 British regular. On the midnight of October 3d, the bombardment of Savannah was commenced; it being continued, irregularly, until the 8th. It was then decided by the allied chieftains to convert the siege into an assault. And so, plans were carefully concerted for a general attack on the British lines on the morning of the eventful 9th of October. It was ascertained by the foe that the principal onslaught would be directed against the Spring Hill redoubt, and the adjacent batteries, and, as a consequence, Colonel Maitland was placed, with his choicest troops, at the point of greatest danger.

The aggregate French force, to be identified with this historic affair, approximated 4,500 men; and was expected to form in three columns—two for assault, one for the reserve corps. The American contingent, participating, which could not have exceeded 2,100, was to be divided into two attacking columns; the weight of those allied armies being mainly concentrated upon the right of the British lines, where the Spring Hill batteries were located. The enemy's strength at this time was fairly estimated at 2,500; and they were intrenched behind practically impregnable defenses. The death-dealing works proved most fatal to the allied armies, they being hurled back from them, with a combined loss, in killed and wounded, of 1,150. The English casualties were reported as forty killed and sixty-three wounded. Thus ended this sanguinary and epochal siege, which occupies a lofty place among the conflicts of the American Revolution.

With the failure of the allied armies to recapture Savannah, despair again resumed its sway over patriotic hearts. The little commonwealth was now in extremis, and the war-clouds looked most ominous. About this time, Nancy Hart, the Georgia heroine, arose, and showed the people that all the dauntless souls were not dead, and that there was "life in the old land yet." She acted courageously, and she was a present inspiration for everybody to do the same. The gallant partisans became emboldened once more, and gave their attention to important enterprises. Augusta was now in the hands of the Loyalists, and its recovery seemed most essential. They, accordingly, took that project in hand.

The siege and capture of Augusta began in May, 1781; and with that notable affair, General Pickens and Colonels Clarke and Lee were heroically identified. Colonel Thomas Brown, the Tory, was in charge of the town, and his government of the place was high-handed and extremely obnoxious. At this time, two fortifications formed the principal defenses of Augusta: Fort Cornwallis and Fort Grierson. The latter was named in honor of the Loyalist lieutenant-colonel, who commanded its garrison; and stood very nearly upon the spot now occupied by the Riverside Mills. The location of the former was identical with that of St. Paul's church and cemetery. British regulars were stationed at Fort Cornwallis; while the tenure of Grierson was confided to militia. After a careful consideration of the matter, it was resolved to drive Grierson out of his fort,

and either capture or destroy him in his retreat upon Cornwallis. To this end, arrangements were speedily made. So vigorous and repeated were the attacks, that Grierson, finding further resistance useless, decided to evacuate his position, and to escape, with his command, to Fort Cornwallis. The scheme was a desperate one, but his men, nothing daunted, entered boldly upon its execution. In the hazardous attempt, the greater portion of the garrison was killed, wounded, or captured, its major being slain, and its lieutenant-colonel taken prisoner. Comparatively few of those in the fort succeeded in escaping. After the surrender, Colonel Grierson, in retaliation for his many enormities, was himself shot to death by a Georgia rifleman.

The first step had been taken, but the most notable was to follow. The eyes of the republicans were now turned toward Fort Cornwallis, and plans were devised for its reduction. Behind the oaken ramparts of that fortress, Colonel Brown calmly awaited the enemy's approach. Brave and ingenious, he was always confident that a siege could successfully be sustained. The levelness of the ground making it difficult to secure a platform high enough to render the only reliable field-piece in camp effective for casting projectiles within the fort, under the circumstances, it was deemed expedient to construct a "Mayham" tower. A contrivance of this sort had proven of signal service in the demolition of another fortification.

The tower was at length built, in spite of frequent efforts on the part of the besieged to interrupt the labors of the workmen. The interior of this tower, which was raised almost abreast the parapet of the fortress, was filled with fascines, earth, stone, brick, and every available material which was calculated to solidify the structure. Perched upon its lofty resting place, the six-pounder gun soon dismounted the two cannon of the fort, and raked its inner portions, which it commanded almost entirely. The fire of this gun was chiefly directed against the parapet of Cornwallis, fronting on the river. Toward that quarter it was proposed that the main attack should be launched. Preparations were made for a general assault, at 9 A. M., on the 4th of June, 1781. Twice had Brown been called upon to surrender, without success. On the morning of the 4th, however, and before an advance had been ordered, an officer, with a flag, was seen approaching from Cornwallis. He bore a message from Colonel Brown to General Pickens and Colonel Lee, the purport of it being that he desired to treat for a surrender.

Negotiations were at once commenced, which culminated, on the following morning, in the proposal and acceptance of articles of capitulation. These articles called for the immediate evacuation, by the British garrison—some 300 strong—of the fortress. The loss sustained by the English at the siege of Augusta was fifty-two killed and 334 wounded and captured; sixteen slain and thirty-five wounded represent the casualties as reported among the Americans who participated in that hotly contested affair.

The capture of Augusta practically broke the backbone of English domination in Georgia, and foreshadowed the eventual triumph of the patriots. Upon the re-occupation of the town by the victorious repub-

liens, it again became the capital of the nascent commonwealth, and so continued, for the most part, to be regarded until the end of the Revolutionary war. In January, 1782, came the welcome news that General Anthony Wayne had at length arrived on Georgia soil. The finale of the great martial drama was drawing rapidly to a close. With the overthrow of Lord Cornwallis at Yorktown, Va., October 19, 1781, had occurred a revolution in English sentiment, and the current of popular sympathy had begun to set strongly toward the patriots. When, in February, 1782, the British House of Commons resolved that "the House will consider as enemies to the king and country all those who shall advise, or by any means attempt, the further prosecution of offensive war for the purpose of reducing the revolted colonies to obedience by force," it was clear that the reward for what had so valorously been undergone would soon be forthcoming.

Contemporaneously with the passage of that resolution, General Wayne was aggressively engaged in his Georgia campaign. Victorious at every point, he was steadily pressing his advantage, and the capture of Savannah was expected shortly to be added to his triumphant operations. The enemy, however, prevented this humiliation by their surrender of the town in July, 1782. Some weeks before, or on the 23d of May, 1782, a communication from Sir Guy Carleton, at New York, was received ordering the evacuation, not only of Savannah, but of the whole province; and so, Georgia's Revolutionary period, properly speaking, terminates. On the 30th of November of that year a treaty of peace between Great Britain and the United States (adopted at Paris) was officially signed; and the struggle, which had lasted since the 19th of April, 1775, was finished.

Recapitulating, we find that one president of the Council of Safety, Hon. William Ewen; three presidents and commanders-in-chief, Hons. Archibald Bulloch, Jonathan Bryan, and Button Gwinnett; and ten governors, Hons. John A. Treutlen, John Houstoun, John Wereat, George Walton, Richard Howley, George Wells, Stephen Heard, Myrick Davies, Nathan Brownson, and John Martin, officiated, at different times during the Revolution, as chief magistrate of the little commonwealth. Conditions, occasionally, were so peripatetic, that some of these worthies were able to serve for only a short period. They freely contributed their patriotic mead, however; and in the roster of executive heads they should be mentioned. Richard Howley and Nathan Brownson are recalled as members of the Continental Congress. Archibald Bulloch and John Houstoun should also be similarly referred to. George Walton will likewise be remembered as a signer of the Declaration of Independence. Governor Martin filled the closing months of the Revolution with his administration. When he was installed, he saw the rainbow of peace in sight, which promised rest to his battle-scarred people, after all of their strenuous endeavors.

Aside from Hons. Archibald Bulloch, John Houstoun, Rev. J. J. Zubly, Noble W. Jones, Lyman Hall, Button Gwinnett, and George Walton, eight others, from Georgia, were, during the Revolution, complimented with seats in the Continental Congress. They were as follows: Hons. Joseph Clay, William Few, Edward Telfair, Richard How-

ley, Edward Langworthy, John Walton, Nathan Brownson, and Joseph Wood.

Five of the executive heads of Georgia were not so fortunate as to live until the conclusion of the historic struggle, and to enjoy its well-earned fruits. These were Hon. Archibald Bulloch, who died unexpectedly at his home; Hon. Button Gwinnett and Governor Wells, who fell, at different times, in duels; and Governors Treutlen and Myrick Davies, who were inhumanly murdered by the Tories.

On the bank of the Savannah River, just behind St. Paul's Church, is a Celtic Cross memorial, marking the site of Fort Augusta, around which the little town was built in 1735. This was, probably, the exact location of Fort Cornwallis in the Revolution, and one of its identical cannon is mounted at the base of the above-mentioned monument. The very sight of this gun calls up martial memories, "in the brave days of old," when the sturdy Georgia partisans heroically fought for home and country, and took as their inspiring motto, in the words of our sweet singer, Paul H. Hayne:

"What strength to feel, beyond our steel, burns the Great Captain's eye."

THE STORY OF AUSTIN DABNEY.—One of the finest examples of loyalty displayed during the period of the American Revolution was furnished by Austin Dabney, a negro patriot. He came to Pike with the Harris family within a very short while after the new county was opened to settlement, and here he lies buried near the friends to whom in life he was devotedly attached. The story of how he came to enlist in the patriot army runs thus: When a certain pioneer settler by the name of Aycock migrated from North Carolina to Georgia, he brought with him a mulatto boy whom he called Austin. The boy passed for a slave and was treated as such; but when the struggle for independence began, Aycock, who was not cast in heroic molds, found in this negro youth a substitute, who was eager to enlist, despite the humble sphere of service in which he moved. The records show that for a few weeks perhaps the master himself bore arms in a camp of instruction, but he proved to be such an indifferent soldier that the captain readily agreed to exchange him for the mulatto boy, then a youth of 18, upon Aycock's acknowledgement that the boy was of white parentage, on the mother's side, and therefore free. This happened in the County of Wilkes. When the time came for enrollment, the captain gave Austin the surname of Dabney, and for the remainder of his life Austin Dabney was the name by which he was everywhere known. He proved to be a good soldier. In numerous conflicts with the Tories in Upper Georgia, he was conspicuous for valor; and at the battle of Kettle Creek, while serving under the famous Elijah Clarke, a rifle ball passed through his thigh, by reason of which he ever afterwards limped. Found in a desperate condition by a man named Harris, he was taken to the latter's house, where kind treatment was bestowed upon him, and here he remained until the wound healed. Austin's gratitude to his benefactor was so great that for the rest of his life he considered himself in the latter's debt, and in many ways he befriended Harris, when reverses overtook him. He appears to have been a man of sound sense and to have acquired property, at the close of the Revolution. He removed from Wilkes to Madison, taking the family of his benefactor with him. Dabney was fond of horse racing, and whenever there was a trial of speed anywhere near he was usually found upon the grounds, and he was himself the owner of thoroughbreds. He drew a pension from the United States Government, on account of his broken thigh, and the Legislature of Georgia, in the distribution of public lands by lottery, awarded him a tract in the County of Walton. The noted Stephen Upson, then a representative from Oglethorpe, introduced the measure, and, in terms of the highest praise, he eulogized Dabney's patriotism. There was some dissension among the white people of Madison over this handsome treatment accorded to one of an inferior race. It doubtless arose, through envy, among the poorer classes. But Austin took no offense, and when an opportune moment came, he quietly shifted his residence to

the land given to him by the State of Georgia. He was still accompanied by the Harris family, for whom he continued to labor. It is said that he denied himself many of the comforts of life, in order to bestow the bulk of his earnings upon his white friends. He sent the eldest son of Mr. Harris to Franklin College, and contributed to his maintenance while he studied law under Judge Upson at Lexington. It is said that when young Harris stood his legal examination in open court Austin Dabney was outside of the bar with the keenest look of anxiety on his face and that when the youth was finally admitted to practice the old negro fairly burst into tears of joy. He left his entire property to the Harris family, at the time of his death. The celebrated Judge Dooley held him in the highest esteem, and when the latter was attending court in Madison it was one of Dabney's customs to take the judge's horse into his special custody. He is said to have been one of the best authorities in Georgia on the events of the Revolutionary war period. Once a year Austin Dabney made a trip to Savannah, at which place he drew his pension. On one occasion—so the story goes—he traveled in company with his neighbor, Col. Wiley Pope. They journeyed together on the best of terms until they reached the outskirts of the town. Then, turning toward his dark companion, the colonel suggested that he drop behind, since it was not exactly the conventional thing for them to be seen riding side by side through the streets of Savannah. Without demurrer Austin complied with this request, stating that he fully understood the situation. But they had not proceeded far before reaching the home of General Jackson, then governor of the state. What was Colonel Pope's surprise, on looking behind him, to see the old governor rush from the house, seize Austin's hand in the most cordial manner, like he was greeting some long lost brother, drew him down from the horse, and lead him into the house, where he remained throughout his entire stay in Savannah, treated not perhaps as an equal, but with the utmost consideration. In after years, Colonel Pope used to tell this anecdote, so it is said, with much relish, adding that he felt somewhat abashed on reaching Savannah, to find Austin an honored guest of the governor of Georgia, while he himself occupied a room at the public tavern.—L. L. Knight in Georgia's Landmarks, Memorials and Legends, Vol. I.

COLONEL JOHN WHITE: HERO OF THE GREAT OGECHEE.—In December, 1778, the British captured Savannah.* In September, 1779, Count d'Estaing with a force of about 1,700 men acting under instructions from the French government effected a landing at Beaulieu, and shortly thereafter was joined by General Lincoln. The purpose was to recapture Savannah by siege. General Prevost, the British commander, immediately summoned from all outposts every portion of his scattered command. Some reached the British lines in safety. But Captain French was not among this number. With 111 regular troops, accompanied by five vessels and their crews of forty men, he sought to join General Prevost, but interrupted in his attempt to enter Savannah by news of the investment of the town, took refuge in the Great Ogeechee River, about twenty-five miles below Savannah, disembarked and formed a fortified camp on the left bank of that stream.

Col. John White, of the Fourth Georgia Battalion of General Lincoln's force, conceived a brilliant plan for the capture of French's command. Accompanied only by Capt. George Melvin and A. C. G. Elholm, a sergeant, and three privates, a total force of seven men (some accounts state five), on the night of October 1, 1779, this daring band located the British camp on the Ogeechee and built many watch-fires at various points around it, placing the fires at such positions as to lead the British to believe that they were surrounded by a large force of Americans. This was kept up throughout the night by White and his force marching from point to point with the heavy tread of many when, accompanied by the challenge of sentinels at each point surrounding the British camp, each mounting a horse at intervals, riding off in haste in various directions, imitating the orders of staff officers and giving fancied orders in a low tone. Anticipating the presence of the enemy, Captain French believed that he was entrapped by a large force. At this juncture Colonel White, unaccompanied, dashed up to the British camp and demanded a conference with Captain French.

"I am the commander, sir," he said, "of the American soldiers in your vicinity. If you will surrender at once to my force, I will see to it that no injury is done to you or your command. If you decline to do this I must candidly inform you that

the feelings of my troops are highly incensed against you and I can by no means be responsible for any consequences that may ensue."

The bluff worked. Captain French at once fell into the trap and agreed to surrender, as he thought it was useless to battle with the large surrounding force. At this moment Captain Elholm dashed up on horseback and demanded to know where to place the artillery. "Keep them back," replied White, "the British have surrendered. Move your men off and send me three guides to conduct the British to the American post at Sunbury." Thereupon the five vessels were burned, the three guides arrived, and the British urged to keep clear of the supposed infuriated American army hovering about, marched off, while Colonel White hastened away, collected a force of neighboring militia, overtook the British led by his guides, and conducted them as prisoners to Sunbury.

Nine days after this remarkable exploit, Colonel White was severely wounded at the assault upon Savannah made at the Spring Hill redoubt. He succeeded in making his escape from the British, but the wounds received so much impaired his health that he was obliged to retire from the army and died soon afterwards in Virginia.*

EBENEZER IN THE REVOLUTION.—The Salzburgers were slow to side against England. It was perfectly natural for them to feel kindly disposed toward the country whose generous protection was extended to them in days of persecution; but they were also the sworn enemies of tyranny, whether at home or abroad. When the question of direct opposition to the acts parliament was discussed at Ebenezer in 1774 there arose a sharp division of sentiment. Quite a number of the inhabitants favored "passive obedience and non-resistance." But the majority refused tamely to submit. At the Provincial Congress, which assembled in Savannah on July 4, 1775, the following Salzburgers were enrolled from the Parish of St. Matthew: John Adam Treutlen, John Stirk, Jacob Casper Waldhaur, John Floerl and Christopher Cramer. As a community, the Salzburgers espoused the cause of the Revolutionists, but, headed by Mr. Triebner, some of them maintained an open adherence to the Crown. Between these parties there sprang up an angry feud, in the midst of which the Rev. Mr. Rabenhorst, "who exerted his utmost influence to curb the dominant passions, crowned his long and useful life with a saintly death."

* The account of this remarkable capture is taken from White's "Historical Collections of Georgia," and accepted by that historian as correct. It is corroborated by a manuscript furnished that author by the Hon. Robert M. Charlton, giving a sketch of the life of Col. White.

Capt. Hugh McCall, one of the earliest of Georgia's historians, on page 60 of Vol. II of his history, mentions briefly the occurrence accepting the foregoing statements as true.

C. C. Jones, Jr., in his "History of Georgia," Vol. II, page 390, also mentions this statement as true.

In Vol. II, page 180, of the "Historical Magazine and Notes and Queries," is found an article communicated by I. K. Teft, in which the author corroborates the foregoing facts by an order then in his possession, given by Maj. William Jackson upon certain vendue masters for \$500.00 "in the cause of the captors and claimants of the vessels taken in Ogeechee River by Colonel White, being his fees in said cause."

Dr. David Ramsey, writing in October, 1784, or five years after his remarkable exploit, in his "History of the Revolution in South Carolina" (p. 242, Vol. II), records as facts the details above outlined. This is substantial proof of its trustworthiness.

Colonel White was survived by a widow and one daughter. The widow married Thomas Gordon, of Philadelphia. The daughter, Catherine P., first married William Lambert, and upon his death married a Mr. Hayden. Mrs. C. P. Hayden died in Savannah in January, 1866, leaving most of her property to St. John's Church. The will is recorded in Book M. P. 211, of the ordinary's office. The writer has in his possession the papers of Mrs. Hayden, and among them are several military orders drawn by Colonel White, a copy of Mr. Teft's communication, with notations thereon by Mrs. Hayden, and a letter from the widow of Colonel White, written to Gov. John Houstoun in 1789, requesting him to recover for her a house and lot in Savannah owned by her late husband, and which had, through mistake, been confiscated as British property.—E. H. Abrahams.

* E. H. Abrahams: Article in the Savannah Morning News, July 4, 1909.

Situated on the direct line of travel, Ebenezer was destined to play an important part in the approaching drama of hostilities. The account which follows is condensed from "Dead Towns of Georgia": "Three days after the capture of Savannah by Colonel Campbell, a strong force was advanced, under the command of Lieutenant-Colonel Maitland, to Cherokee Hill. On the following day—January 2, 1779—Ebenezer was occupied by the British troops. They at once threw up a redoubt within a few hundred yards of Jerusalem Church and fortified the position. The remains of this work are said to be still visible. As soon as he learned of the fall of Savannah, Mr. Treilner hastened thereto, proclaimed his loyalty, and took the oath of allegiance. The intimation is that he counseled the immediate occupation of Ebenezer and accompanied the detachment which compassed the capture of his own town and people. Influenced by him, not a few of the Salzburgers took the oath of allegiance to England and received certificates guaranteeing the royal protection. Prominent among those who maintained adherence to the rebel cause were: John Adam Treutlen, afterwards governor; William Holsendorf, Col. John Stirk, Secretary Samuel Stirk, Capt. Jacob Casper Waldhaur, who was both a magistrate and a soldier; John Schneider, Rudolph Strohaker, Jonathan Schneider, J. Gottlieb Schneider, Jonathan Rahn, Ernest Zittbauer, Joshua Helfenstein, and Jacob Helfenstein."

Mr. Strobel draws a graphic picture of the situation at this time. Says he: "The citizens of Ebenezer were made to feel severely the effects of the war. The property of those who did not take the oath of allegiance was confiscated and the helpless sufferers were exposed to every species of insult and wrong. Besides, some of the Salzburgers who espoused the cause of the Crown became inveterate whigs, placed themselves at the head of marauding parties, and committed the most wanton acts of depredation, including arson itself. The establishment of a line of British posts along the western bank of the Savannah River to check the demonstrations of the rebel forces in South Carolina, made it a kind of thoroughfare for British troops in passing through the country from Savannah to Augusta. To avoid the rudeness of the soldiers who were quartered among them and to escape the heavy tax upon the scant resources which remained to them, many of the best citizens abandoned the town and settled in the country districts. Those who remained were forced almost daily to witness acts of cruelty perpetrated upon American prisoners of war; for Ebenezer, while in the hands of the British, was the point to which most of the prisoners were brought, thence to be taken to Savannah. It was from this post that a number of prisoners were being carried southward, when the two Sergeants, Jasper and Newton, rescued them at Jasper Spring."

"There was one act performed by the British commander which was peculiarly trying and revolting to the Salzburgers. The fine brick church was converted into a hospital for the accommodation of the sick and wounded and was afterwards desecrated by being used as a stable for the horses. The records were destroyed, targets were made of different objects, and even to this day the metal swan bears the mark of a musket ball. Often, too, cannon were discharged at the houses. But the Salzburgers endured these hardships and indignities with fortitude; and though a few of them were overcome by these severe measures, yet the mass of them remained firm."

According to Colonel Jones, the establishment of tippling houses in Ebenezer, during the British occupation, corrupted the lives of not a few of the once sober Germans. Says he: "Indications of decay and ruin were patent before the cessation of hostilities. Except for a brief period, during the siege of Savannah, when the garrison was summoned to assist in defense of the city against the allied army, Ebenezer remained in the possession of the British until a short time prior to the evacuation of Savannah, in July, 1783. In advancing toward Savannah, General Wayne established his headquarters in the town. As soon as the British forces were withdrawn, the Tory pastor, Triebner, betook himself to flight and found a refuge in England, where he ended his days in seclusion."

It was an altered scene upon which the poor Salzburgers looked when the refugees began to return to Ebenezer at the close of the Revolution. Many of the homes had been burnt to the ground. Gardens once green and fruitful had been trampled into desert places. Jerusalem Church had become a mass of filth, and the sacred edifice

* "Salzburgers and Their Descendants," pp. 203-207, Baltimore, 1855.

† "Dead Towns of Georgia," p. 39, Savannah, 1878.

was sadly dilapidated. But the Germans set themselves to work. Fresh life was infused into the little community upon the arrival of the Rev. John Ernest Bergman, a clergyman of pronounced attainments. The parochial school was revived, the population began to increase, the church was substantially rebuilt, and much of the damage wrought by the British was in the course of time repaired. But the lost prestige of the little town of Ebenezer was never fully regained. The mills remained idle. The culture of silk was revived only to a limited degree; and, after a brief interval of growth, the old settlement began visibly to take the downward path.

GEORGIA JEWS IN THE REVOLUTION.—It was Israel Zangwill who coined the fine aphorism that since the time of the Exodus freedom has spoken with the Hebrew accent. Though wedded to pursuits of peace, the Jews of Georgia were not slow to resent the oppressions of England. The spirit of liberty burned in the hearts of these gentle people and overmastered the commercial instinct. Mordecai Sheftall, born in Savannah, December 16, 1735, became one of the most zealous of the patriots. The royal proclamation which appeared in the *Georgia Gazette*, of July 6, 1780, proscribed him as a "Great Rebel," in a list which included the signers of the Declaration of Independence and two generals. When the theater of war shifted to the South, in 1779, Mordecai Sheftall was commissioned by the Provincial Congress to fill the office of Commissary General of Issues for the State of Georgia. His son, Sheftall Sheftall, became his deputy, and together they furnished supplies to the soldiers. The large sums of money received and disbursed by them show that to the fullest extent they possessed the confidence of the state authorities.

When Savannah fell into the hands of the British in 1779, the Sheftalls were captured, put on board a prison ship, and transported to Antigua in the West Indies. At first they were consigned to a common jail where they suffered great privations and indignities, but they were afterwards released on parole. With other prisoners of war, they were brought at a later period to Sunbury. Here, in a most singular manner, the charter of the Union Society was saved from extinction. It was provided in the charter that unless a meeting was held annually for the election of officers, the charter itself was to be forfeited. Mordecai Sheftall remembered this provision. With three of his fellow-prisoners, who, by a fortunate coincidence, happened to be members of the Union Society, he managed to hold a meeting before the time limit expired. This took place under a tree which is said to have been the birth-place of the first Masonic Lodge organized in Georgia. By virtue of this timely rescue, the tree became known as Charter Oak. When exchanged, Mordecai Sheftall was appointed by the board of war in Philadelphia, a flag master to carry funds and provisions to General Moultrie for the destitute inhabitants of Charleston. It is needless to say that he faithfully performed the trust.

After the Revolution, he was the victim of shameful ingratitude. From his own private resources, he had spent large sums of money for the support of the Georgia troops. When there were no funds on hand, he went into his own pocket for the necessary means; but most unfortunately when the British entered Savannah the commissary was sacked and many of his vouchers destroyed. Impoverished by the war and broken in health, due to his prison life, he applied to the general government for reimbursement of expenditures; but the demand was not honored. Some time in the '50s—more than half a century later—his heirs presented a claim to the Legislature of Georgia; but the watch-dogs of the treasury managed to pigeon hole the resolution. To quote the terse comment of Mr. Abrahams: "Ingratitude is not confined to individuals."

The old patriot died at his home in Savannah on July 6, 1797, and was buried in the old Jewish cemetery which his liberality had set apart to the people of his race. The year before he died, his fellow citizens of Chatham honored him with a seat in the General Congress which convened at Louisville, then the capital of the state. Sheftall Sheftall practiced law in Savannah until 1848. As long as he lived he continued to wear Colonial knickerbockers; and because of his peculiar style of dress which he refused to alter, in conformity with popular taste, he was called "Cocked-Hat Sheftall." On the occasion of the visit of President Monroe to Savannah in 1819 he was an honored guest at the banquet. Dr. Moses Sheftall, his son, became an esteemed citizen of Savannah, a surgeon in the Chatham Regiment, and a judge of the Inferior Court. When Washington became chief magistrate of the nation, in 1769, Levi Sheftall, then president of the Hebrew Congregation, of

Savannah, addressed him a letter of congratulation to which he replied at some length, speaking in the highest terms of the part taken by the Jews in the struggle for independence and praying that the same wonder-working Deity who had delivered them of old from the hand of the oppressor might continue to water them with the dews of heaven.

It is not the purpose of this sketch to do more than trace the beginnings of the Jewish colony in Georgia. But true to the heroic precedents furnished by the race in Revolutionary times, the descendants of the old patriots of Hebrew blood were prompt to enlist in 1861; and not a few of them made gallant soldiers. The last official order of the Confederate Government was issued to a Jew—Maj. Raphael Moses; and there were few Georgia regiments in which men of Israelitish stock were not enlisted. The famous Straus family of New York was identified with Georgia from 1854 to 1856. One of the members of this household, Oscar S. Straus, became United States Minister to Turkey, holding this office under three separate administrations. He was also the first American citizen of Jewish parentage to hold a portfolio in the cabinet of a President of the United States. Isidor and Nathan Straus, his elder brothers, became wealthy merchants of the metropolis, men of wide sympathies for the unfortunate, and of many noble philanthropies. The former of these, Isidos, perished at sea, on board the ill-fated Titanic, in 1912.—L. L. Knight in Georgia's Landmarks, Memorials and Legends, Vol. I.

GEORGIA PATRIOTS OUTLAWED BY THE TORY GOVERNMENT.—On July 6, 1780, soon after the fall of Savannah, an act was passed by the Tory Legislature and signed by the royal governor, James Wright, condemning the "wicked and unprovoked rebellion" against his Majesty in the Province of Georgia, and disqualifying certain parties mentioned therein. At the same time full amnesty was offered to all who should hasten to enroll themselves under the royal banners, by taking the oath of allegiance to the House of Brunswick. The outlook was dark for the patriotic cause, but even in this despondent hour there were few to desert the colors. The following civilians and soldiers were by name declared to be specially obnoxious to the Crown of England. The list is now Georgia's cherished roll of honor:

1. John Houstoun, rebel governor.
2. John Adams Treutlen, rebel governor.
3. Lachlan McIntosh, rebel general.
4. George Walton, member of rebel congress.
5. William Stephens, rebel attorney-general.
6. John McClure, rebel major.
7. Joseph Clay, rebel paymaster-general.
8. N. Wymberley Jones, speaker rebel assembly.
9. Mordecai Sheftall, chairman rebel P. com.
10. William O'Bryan, rebel treasurer.
11. John Wreant, rebel counsellor.
12. Edward Telfair, member of rebel congress.
13. Edward Davies, member of rebel assembly.
14. Samuel Elbert, rebel general.
15. Seth John Cuthbert, a rebel major.
16. William Holsendorf, a rebel counsellor.
17. Richard Howley, a rebel governor.
18. George Galphin, rebel sup. Indian affairs.
19. Andrew Williamson, rebel general.
20. John White, rebel colonel.
21. Nehemiah Wade, rebel treasurer.
22. John Twiggs, rebel colonel.
23. Wm. Few, rebel counsellor.
24. Edward Langworthy, rebel delegate.
25. Wm. Glascock, rebel counsellor.
26. Robert Walton, rebel com. of forfeited estates.
27. Joseph Wood, Jr., clerk to the rebel assembly.
28. ——— Piggins, rebel colonel.
29. Wm. Hornby, distiller.
30. Pierce Butler, rebel officer.
31. Joseph Wood, member of rebel congress.

32. Rev. Wm. Peirey, clerk.
33. Thomas Savage, planter.
34. Thomas Stone, rebel counsellor.
35. Benjamin Andrey, president of the rebel council.
36. John Baker, senior rebel colonel.
37. Wm. Baker, rebel officer.
38. Francis Brown, planter.
39. Nathan Brownson, member of rebel congress.
40. John Hardy, captain of a rebel galley.
41. Thos. Morris, rebel officer.
42. Samuel Miller, member of rebel assembly.
43. Thos. Maxwell, planter.
44. Joseph Woodruff.
45. Joseph Oswald, planter.
46. Josiah Powell, planter.
47. Samuel Saltus, a committeeman.
48. John Sandiford, planter.
49. Peter Tarling, rebel officer.
50. Oliver Bowen, rebel commodore.
51. Lyman Hall, member of rebel congress.
52. Andrew Moore, planter.
53. Joshua Inman, planter.
54. John Dooley, rebel colonel.
55. John Glen, rebel chief justice.
56. Richard Wyley, president of the rebel council.
57. Adam Fowler Brisbane, rebel counsellor.
58. Shem Butler, rebel assemblyman.
59. Joseph Habersham, rebel colonel.
60. John Stirk, rebel colonel.
61. Raymond Demere, rebel clo. general.
62. Chas. Odingsell, rebel captain.
63. Wm. Peacock, rebel counsellor.
64. John Bradley, captain rebel galley.
65. Joseph Reynolds, bricklayer.
66. Rudolph Strohaker, butcher.
67. Chas. Cope, butcher.
68. Lewis Cope, butcher.
69. Hepworth Carter, rebel captain.
70. Stephen Johnston, butcher.
71. John McIntosh, Jr., rebel colonel.
72. James Houston, surgeon.
73. James Habersham, merchant.
74. John Habersham, rebel mayor.
75. John Milledge, Jr., rebel assemblyman.
76. Levi Sheftall, butcher.
77. Philip Jacob Cohen, shopkeeper.
78. John Sutcliffe, shopkeeper.
79. Jonathan Bryan, rebel counsellor.
80. John Spencer, rebel officer.
81. John Holmes, clerk.
82. William Gibbons, the elder, rebel counsellor.
83. Sheftall Sheftall, rebel officer.
84. Philip Minis, shopkeeper.
85. Cushman Pollock, shopkeeper.
86. Robt. Hamilton, attorney at law.
87. Benj. Lloyd, rebel officer.
88. James Alexander, rebel officer.
89. John Jenkins, rebel assemblyman.
90. Sam Stirk, rebel secretary.
91. Philip Densler, yeoman.
92. Henry Cuyler, rebel officer.

93. Joseph Gibbons, rebel assemblyman.
94. Ebenezer Smith Platt, shopkeeper.
95. Matthew Griffin, planter.
96. Peter Deveaux, gentleman.
97. Ben Odingsell, rebel officer.
98. John Gibbons, v. master.
99. John Smith, planter.
100. Wm. Le Conte, rebel counsellor.
101. Charles Fr. Chevalier, rebel counsellor.
102. Peter Chambers, shopkeeper.
103. Thos. Washington, rebel officer.
104. Elisha Maxwell, planter.
105. Thos. Maxwell, Jr., rebel mayor.
106. Wm. Gibbons, the younger, planter.
107. Wm. Davis, rebel officer.
108. John Graves, yeoman.
109. Charles Kent, rebel counsellor.
110. John Bacon, mariner.
111. Nathaniel Saxton, tavernkeeper.
112. Philip Lowe, rebel officer.
113. Samuel Spencer, mariner.
114. John Winn, Sr., planter.
115. Deveaux Jarrat, rebel assemblyman.
116. Samuel West, gentleman.
117. Josiah Dupont, planter.
118. James Pugh, planter.
119. Frederick Pugh, planter.
120. James Ray, planter.
121. James Martin, planter.
122. John Martin, rebel sheriff.
123. Thos. Pace, rebel officer.
124. Benj. Fell, rebel officer.
125. Dionysius Wright, planter.
126. Chesley Bostick, shopkeeper.
127. Littleberry Bostick, planter.
128. Leonard Marbury, rebel officer.
129. John Sharp, planter.
130. James Harris, planter.
131. Henry Jones, rebel colonel.
132. Hugh McGee, rebel captain.
133. John Wilson, gentleman.
134. George Wyche, rebel officer.
135. Wm. Candler, rebel officer.
136. Zedariah Tenn, planter.
137. Wm. McIntosh, rebel colonel.
138. David Bradie, surgeon.
139. Andrew McLean, merchant.
140. Sir Patrick Houstoun, baronet.
141. McCartin Campbell, merchant.
142. James Gordon, planter.
143. John Kell, gentleman.
144. John McLean, planter.
145. John Snider, planter.
146. John Elliott, rebel officer.
147. Thomas Elliott, rebel officer.
148. Richard Swinney, yeoman.
149. Hugh Middleton, rebel officer.
150. Job Pray, mariner.
151. Josiah McLean, planter.

MIDWAY: THE STEWART-SCREVEN MONUMENT.—In the center of the historic old churchyard at Midway stands a magnificent obelisk of marble, erected by the United

States Government, at a cost of \$10,000, to two distinguished Revolutionary patriots, both residents of Midway: Gen. James Screven and Gen. Daniel Stewart. President Woodrow Wilson, who married a daughter of Midway, and ex-President Roosevelt, a descendant of General Stewart, both sent letters which were read at the ceremonies of unveiling. The shaft is fifty feet in height and thirty feet square at the base, with the following inscriptions splendidly cast, in relief, on beautiful copper plates, and set into the pure white marble.



UNITED STATES SENATOR JOHN ELLIOTT
GEN. JAMES SCREVEN

GEN. DANIEL STEWART

HISTORIC SHRINES IN OLD MIDWAY CHURCH YARD

(North Face.)

1750
Sacred to the Memory of BRIGADIER-GENERAL JAMES SCREVEN, who Fell, Covered with Wounds, at Sunbury, Near this Spot, on the 22nd Day of November, 1778. He Died on the 24th Day of November, 1778, from the Effects of his Wounds.*

(East Face.)

Reared by the Congress of the United States as a Nation's Tribute to BRIGADIER-GENERALS JAMES SCREVEN and DANIEL STEWART.

* General Screven fell mortally wounded about a mile and a half south of Midway Church. This point is fully ten miles distant from Sunbury. Consequently, it is difficult to understand this variation on the monument. We are indebted to Hon. H. B. Folsom, of Montgomery, Georgia, for a description of this obelisk, together with the inscriptions.

(South Face.)

1759

Sacred to the Memory of BRIGADIER-GENERAL DANIEL STEWART, a Gallant Soldier in the Revolution and an Officer Brevetted for Bravery in the Indian Wars.

1829

(West Face.)

(The west face is fittingly adorned by a copper relief representation of an ambuscade. They also arrived upon the ground almost simultaneously, and, in the firing, General Screven was struck. According to Colonel Jones he was killed after falling into the hands of the enemy, who were thus guilty of an act repugnant to civilized warfare.)

THE DEATH OF GEN. JAMES SCREVEN.—On the morning of November 22, 1779, Gen. James Screven fell mortally wounded within a mile and a half of Midway Church. At the head of twenty militia men he had just come to the support of Col. John White, who was expecting battle at this point with the enemy under Colonel Prevost, the latter having entered the settlement by way of East Florida. The British officer was in command of 100 regulars and was re-enforced by the Tory leader McGehee, whose force consisted of 300 Indians and refugees. Both sides, by a singular coincidence, agreed upon the same skirt of woods for the purposes of an ambuscade. They also arrived upon the ground almost simultaneously, and, in the firing, General Screven was struck. According to Colonel Jones he was killed after falling into the hands of the enemy, who were thus guilty of an act repugnant to civilized warfare.

The same account is substantially given by David Ramsay. In the latter's "History of the Revolution in South Carolina" appears this statement: "General Screven received a wound from a musket ball, in consequence of which he fell from his horse. After he fell, several of the British came up and, upbraiding him for the manner in which Captain Moore of Browne's Rangers had been killed, discharged their pieces at him."

Judge Charlton, in his "Life of Major-General James Jackson," after referring to Doctor Ramsay's statement, says: "My notes and memoirs accord me an account somewhat different. They inform me that the General was on feet reconnoitering on the left flank of the enemy's position on Spencer's Hill. On this spot an ambuscade had been formed and he fell in the midst of it."

Benjamin Baker, who was for twenty-seven years clerk of the Midway Church, supports the latter view. In his "Published Records," he says: "Sabbath morning, 22nd. Our party retreated yesterday to the meeting house, where a recruit of some hundreds joined them with some artillery, and some of our party crossed the swamp, and coming near a thicket where they expected an ambuscade might probably occur, Colonel James Screven and one more went forward to examine. The Colonel and one Continental officer and Mr. Judah Lewis were shot down. The Colonel had three wounds, the other two were killed. A flag was sent and brought off the Colonel. Monday 23rd. We hear the Colonel still lives."

This account is probably correct. It emanates from the locality in question and was written on the very day of the battle.

McCall relates that Colonel White sent a flag to Colonel Prevost by Maj. John Hathersham requesting permission to furnish General Screven with such medical aid as his situation might require. The American doctors were permitted to attend him, but his wounds were found to be of such a nature that they could not save him. In the published correspondence Colonel Prevost apologizes for the alleged act of one of his rangers in shooting General Screven after he was disabled.

The gallant officer was taken first to the vestry house of Midway Church, thence to the residence of John Winn, some two miles off, and finally to the home of John Elliott Sr., where he died. He was borne from the enemy's ground by a detachment of eight men, furnished by Colonel Prevost. The burial of General Screven took

"History of Georgia," Vol. II, p. 306, Boston, 1886. The citations which follow have been furnished by T. F. Screven, in a sketch prepared for "Men of Mark in Georgia," Vol. I, pp. 296-297, Atlanta, 1906.

place in the cemetery adjacent to Midway Church. This brave conduct was recognized by both state and national governments, his two surviving daughters were each granted 1,000 acres of land by the Legislature of Georgia, while the United States Congress, after the lapse of more than a century, has still further honored his memory in the handsome memorial shaft which he is soon to share at Midway, with his illustrious companion in arms, Gen. Daniel Stewart.

SEVEN OF GEORGIA'S COUNTIES NAMED FOR LIBERTY'S SONS.—Perhaps the most eloquent attestation of the part played by the Midway settlement in the drama of the Revolution is to be found in the fact that seven counties of Georgia bear names which can be traced to this fountain-head of patriotism.

1. Liberty. This name was conferred by the Constitution of 1777 upon the newly created county which was formed from the old Parish of St. John. It was bestowed in recognition of the fact that the earliest stand for independence was here taken by the patriots of the Midway settlement, whose flag at Fort Morris was the last to be lowered when Georgia was overrun by the British, and whose contributions to the official lists of the Revolution were manifold and distinguished.

2. Screven, formed December 14, 1793, was named for Gen. James Screven, a resident of Sunbury, who fell mortally wounded, within a mile and a half of Midway Church, on November 22, 1778, and who lies buried in Midway Graveyard.

3. Hall, created December 15, 1818, and named after Lyman Hall, a resident of the Midway District, who was the first delegate sent from Georgia to the Continental Congress and who was afterwards a signer of the Declaration of Independence and a governor of Georgia.

4. Gwinnett, established December 15, 1818, was called after Button Gwinnett, whose home was on St. Catherine's Island, but business affairs connected him with Sunbury, who was also a signer of the Declaration of Independence, and a governor of Georgia.

5. Baker, constituted, December 12, 1825, was named for Col. John Baker, of the Revolution, one of the early pioneer settlers of St. John's Parish.

6. Stewart, organized December 30, 1830, was named for Gen. Daniel Stewart, an eminent soldier both of the Revolution and of the Indian wars. He was a native of the district, a member of Midway Church, and an ancestor of ex-President Theodore Roosevelt. He sleeps in Midway burial-ground.

7. Bacon, created by legislative act, during the session of 1914, in honor of the late United States Senator Augustus O. Bacon, whose parents repose in the little cemetery adjacent to Midway Church.

HEARD'S FORT.—According to the local historian of Wilkes, the first settlement on the site of the Town of Washington was made by a colony of immigrants from Westmoreland County, Virginia, headed by Stephen Heard, a pioneer who afterwards rose to high prominence in public affairs. Two brothers accompanied him to Georgia, Barnard and Jesse, and possibly his father, John Heard, was also among the colonists. It is certain that the party included Benjamin Wilkinson, together with others whose names are no longer of record. They arrived on December 31, 1773, and, on New Year's day following, in the midst of an unbroken forest of magnificent oaks, they began to build a stockade fort, which they called Fort Heard, to protect the settlement from Indian assaults.

The Heards were of English stock but possessed landed estates in Ireland. It is said of John Heard that he was a man of explosive temper, due to his somewhat aristocratic blood and that, growing out of a difficulty over tithes, in which he used a pitch-fork on a minister of the Established Church, he somewhat hastily resolved upon an ocean voyage, in order to escape the consequences.

Between the Indians and the Tories, the little colony at Heard's Fort was sorely harassed during the Revolutionary-war period. There were many wanton acts of cruelty committed when the tide of British success in Georgia was at the flood. Stephen Heard's young wife, with a babe at her breast, was at this time driven out in a snow storm, to perish without a shelter over her head. His brother, Maj. Bernard Heard, was put into irons, taken to Augusta, and sentenced to be hanged. But fortunately on the eve of the siege he made his escape, and took an active part in the events which followed. It is said that among the prisoners rescued from the

hands of the British was his father, John Heard, an old man, who was on the point of exhaustion from hunger.

In the spring of 1780 Heard's Fort became temporarily the seat of the state government in Georgia. Stephen Heard was at this time a member of the executive council; and when Governor Howley left the state to attend the Continental Congress, George Wells as president of the executive council succeeded him, while Stephen Heard succeeded George Wells. The latter fell soon afterwards in a duel with James Jack's son, whereupon Stephen Heard, by virtue of his office, assumed the direction of affairs. It was a period of great upheaval; and, to insure a place of safety for the law-making power when Augusta was threatened, Stephen Heard transferred the seat of government to Heard's Fort, in the County of Wilkes, where it remained until Augusta was retaken by the Americans.

On the traditional site of Heard's Fort was built the famous old Heard House, which was owned and occupied for years by Gen. B. W. Heard, a descendant of Jesse Heard, one of the original pioneers. It stood on the north side of the courthouse square, where it was afterwards used as a bank and where, on May 5, 1865, was held the last meeting of the Confederate cabinet. Thus an additional wealth of memories was bequeathed to Heard's Fort, an asylum for two separate governments pursued by enemies.

On April 25, 1779, the first court held in the up-country north of Augusta was held at Heard's Fort. There were three justices: Absalom Bedell, Benjamin Catchings and William Downs. To this number Zachariah Lamar and James Gorham were subsequently added. Col. John Dooly was attorney for the state. Joseph Scott Holden was sheriff, and Henry Manadue, clerk of the court. For several years the tribunal of justice was quartered in private dwellings. It was not until 1783 or later that the county boasted a jail, and, during this period, prisoners were often tied with hickory withes, or fastened by the neck between fence rails. Juries often sat on logs out of doors while deliberating upon verdicts. It is said that when Tories were indicted, even on misdemeanors, they seldom escaped the hemp. Says Doctor Smith: "Even after the war, when a man who was accused of stealing a horse from General Clarke was acquitted by the jury, the old soldier arrested him and marched him to a convenient tree and was about to hang him anyhow, when Nathaniel Pendleton, a distinguished lawyer, succeeded in begging him off."

WASHINGTON.—On the site of Fort Heard arose in 1780 the present town of Washington: the first town in the United States to be named for the commander-in-chief of the American armies in the Revolution. It was not until 1783 that Washington was formally laid off; but the records show that during the year mentioned it took the name of the illustrious soldier. Next in point of age to Washington, Georgia, comes Washington, North Carolina, a town which was founded in 1782, two full years later.

"The Story of Georgia and the Georgia People," by Dr. George G. Smith, pp. 137-138, Atlanta, 1900.

CHAPTER V

SAVANNAH'S REVOLUTIONARY MONUMENTS—THE GREENE MONUMENT IN JOHNSON SQUARE—THE PULASKI MONUMENT IN CHIPPEWA SQUARE—THE BRONZE STATUE OF SERGEANT JASPER IN MADISON SQUARE—THE SPRING HILL REDOUBT—JASPER-SPRING.

During the visit of General Lafayette to Savannah, in 1825, the old palladin of liberty was asked to take part in laying the cornerstones of two monuments to be erected in the "Forest City," one to the memory of Gen. Nathanael Greene, in Johnson Square, and one to the memory of Count Pulaski, in Chippewa Square. He yielded assent; and on March 21, 1825, the cornerstones were duly laid in the places designated, General Lafayette acting in association with the Masonic lodges. Subsequently donations were received for the erection of these monuments. The sum desired was \$35,000, for the raising of which the Legislature authorized a lottery; but the enterprise languishing after a few years it was decided to erect only one shaft, to be dedicated in common to the two illustrious heroes.

Accordingly, the first monument erected, a shaft of granite, fifty feet in height, was called the "Greene and Pulaski" monument, and for twenty-five years it continued to honor the two heroes jointly, though it bore no inscription. Finally, in 1853, funds having been raised sufficient to carry out the original plan, the monument in Johnson Square became the "Greene" monument, and a shaft to Count Pulaski was erected elsewhere. However, it was not until 1885 that it bore an inscription. The Georgia Historical Society then took the matter in hand, and, with the aid of the city authorities, raised the money needed for the tablets. Both made of bronze, the one on the south side portrays, in bas relief, the full length figure of General Greene, while the one on the north side reads thus:

"Major-General Nathanael Greene, born in Rhode Island, 1742, died in Georgia, 1786. Soldier, patriot, and friend of Washington. This shaft has been reared by the people of Savannah in honor of his great services to the American Revolution."

On November 14, 1902, the remains of General Greene having been found in the Graham vault, after long search, in the old Colonial burial ground, were re-interred with impressive ceremonies under the Greene monument. The ashes of his son, George Washington Greene, were likewise committed to the same receptacle. Directly over the spot



MONUMENT TO GEN. NATHANAEAL GREENE IN SAVANNAH

which marks the last resting-place is a wreath of bronze, there placed by Savannah Chapter of the Daughters of the American Revolution and unveiled at the time of re-interment.

Though it was designed originally that the monument to Count Pulaski should stand in Chippewa Square, the corner-stone, on October 11, 1853, was relaid in Monterey Square; and, on January 9, 1855, the superb structure was dedicated with impressive ceremonies. It is fifty feet in height; a column of solid marble resting upon a base of granite and surmounted by a statue of the goddess of liberty, holding a wreath in her outstretched hand. On each of the four corners of the base is chiseled an inverted cannon, emblematic of loss and mourning. The coats-of-arms of both Poland and Georgia, entwined with branches of laurel, ornament the cornices, while the bird of freedom rests upon both. Pulaski, on an elegant tablet of bronze, is portrayed in the act of falling, mortally wounded, from his horse, at the time of the famous siege; and the whole is a work of consummate art. It was executed in Italy at a cost of \$18,000 and was considered at the time one of the most elegant memorials in America. The inscription on the monument reads:

"Pulaski, the Heroic Pole, who fell mortally wounded,
fighting for American Liberty at the siege of Savannah,
October 9, 1779."

Underneath the monument, soon after the laying of the corner-stone, were placed what at the time were supposed to be the remains of the gallant foreigner. These, having been exhumed at Greenwich, on Augustine Creek, the traditional place of Pulaski's burial, were placed beside the corner-stone, in a receptacle specially designed for them. The conformity of the remains to such a man as Pulaski, ascertained upon an anatomical examination by medical experts, decided the commissioners to place the remains beneath the structure. [However, there are some who insist that Pulaski was buried at sea and that his real ashes are entombed between Savannah and Charleston.] To Maj. William P. Bowen belongs the chief honor of the project which culminated in the erection of the monument. Dr. Richard D. Arnold was the chairman of the commission.

Among the numerous articles deposited in the corner-stone was a piece of the oak tree from Sunbury, under which General Oglethorpe opened the first Lodge of Free Masons in Georgia, and under which also, in 1779, the charter of the Union Society, of Savannah, was preserved and Mordecai Sheftall, then a prisoner of war, was elected president. It was the contribution of Mrs. Purla Sheftali Solomons. Col. A. R. Lawton, afterwards General, was in command of the various military organizations at the time of the relaying of the corner-stone. Robert E. Launitz, of New York, was the designer of the monument, and Robert D. Walker, the sculptor. Richard R. Cuyler officiated in the Masonic rites.

On February 2, 1888, in Madison Square, near the handsome new DeSoto Hotel, was unveiled the superb monument to Sergeant Jasper.



THE PULASKI MONUMENT IN SAVANNAH

It is the work of the famous sculptor, Alexander Doyle, who at the age of thirty was the designer of more public monuments and statues than any other man in America, and who was credited with at least one-fifth of the memorials of this kind to be found within the Union. Surmounting a pedestal of granite, the figure of Sergeant Jasper, heroic in size and wrought of bronze, is portrayed in the act of seizing the colors of his regiment. It reproduces the heroic scene of his martyrdom, on the Spring Hill redoubt, during the siege of Savannah. With the flag in one hand, he raises his gallant sword with the other, to defend the emblem of his country's liberties. The inscription on the monument reads:

"To the memory of Sergeant William Jasper, who, though mortally wounded, rescued the colors of his regiment, in the assault on the British lines about the city.



THE JASPER MONUMENT, SAVANNAH

October 9, 1779. A century has not dimmed the glory of the Irish-American soldier whose last tribute to civil liberty was his life, 1779-1879. Erected by the Jasper Monument Association."

Grover Cleveland, President of the United States, enroute to Jacksonville, Florida, honored the occasion by a drive through the city, and General John B. Gordon was also among the distinguished visitors. In the membership of the Jasper Association were many of the foremost men of Savannah, including: John Flannery, Peter W. Meldrim, John R. Dillon, John T. Ronan, J. J. McGowan, John H. Estill, George A. Mercer, W. O. Tilton, Luke Carson, John Screven, Jordan F. Brooks, Jeremiah Cronin and J. K. Clarke. Though not as large as either the Greene or the Pulaski monument, it is quite as impressive, and from

the artistic standpoint is unexcelled by any memorial in the Forest City, whose monuments are world-renowned.

Near the site of the present Central Railroad depot was the famous Spring Hill redoubt where Count Pulaski and Sergeant Jasper fell mortally wounded on October 9, 1779, during the ill-fated siege of Savannah. Superb monuments to these immortal heroes have been erected on Bull Street, the city's most beautiful thoroughfare. In addition, Savannah chapter of the D. A. R. has commemorated the heroic sacrifice which they made to liberty by placing a tablet on the hill. Miss Margaret Charlton, daughter of Judge Walter G. Charlton, of Savannah, and Miss Isabelle Harrison, a descendant of Colonel Isaac Huger, who planned the assault on Spring Hill redoubt, unveiled the tablet. On account of the distinguished part taken in the siege of Savannah by Count D'Estaing, the French government deputed a special representative, Viscount Benoist d'Azy, an officer in the French navy, to attend the ceremonies. Monsieur Jusserand, the French ambassador at Washington, and Governor Joseph M. Brown, of Georgia, made short addresses.

On the old Augusta road, two miles above Savannah, is the scene of one of the boldest captures in the history of the Revolution: Jasper Spring. Here the brave Sergeant Jasper with the help of his comrades-in-arms, Sergeant Newton, rescued six American soldiers from the British officers who were taking them as prisoners of war from Ebenezer to Savannah. It was the work of stratagem; but there is not to be found in the annals of the war for independence a feat more courageous. The spring has ever since been called by the name of the gallant Irishman who later perished at the siege of Savannah. In 1902 Lachlin McIntosh Chapter of the D. A. R. marked the site by placing here a beautiful memorial fountain to remind the wayfarer, while quenching his thirst, of the brave exploit with which this little spring is forever associated in Georgia's historic annals.

CHAPTER VI

GEORGIA'S TERRITORIAL DOMAIN AS FIXED BY THE TREATY OF PARIS IN 1783—EXTENDS TO THE MISSISSIPPI RIVER ON THE WEST AND TO THE ST. MARY'S RIVER ON THE SOUTH—AN ADDITIONAL STRIP ACQUIRED WEST OF THE CHATTAHOOCHEE, BELOW THE THIRTY-THIRD PARALLEL—SOUTH CAROLINA CLAIMS ALL THE TERRITORY OF GEORGIA SOUTH OF THE ALTAMAHA RIVER AS A PART OF HER ORIGINAL DOMAIN, NOT CEDED IN GEORGIA'S CHARTER—THIS CLAIM ABANDONED UNDER THE TREATY OF BEAUFORT, IN 1787—IMPOVERISHED CONDITION OF THE STATE AT THE CLOSE OF THE REVOLUTION—BUT THE DOMINANT SPIRIT OF THE ANGLO-SAXON ASSERTS ITSELF—IMMIGRATION FROM VIRGINIA AND NORTH CAROLINA INTO WILKES—GENERAL MATHEWS SETTLES A COLONY ON THE GOOSE POND TRACT—JOHN TALBOT ACQUIRES A LARGE GRANT—DR. LYMAN HALL BECOMES GOVERNOR—HANDSOME ESTATES GRANTED TO REVOLUTIONARY HEROES—GENERAL NATHANAEL GREENE—GENERAL ANTHONY WAYNE—MAJOR JAMES JACKSON—BOTH THE CREEKS AND THE CHEROKEES, HAVING SIDED WITH THE ENGLISH, FORFEIT LARGE TRACTS OF LAND.

NOTES: GEORGIA'S FIRST NEWSPAPER—CHIEF JUSTICES UNDER THE CONSTITUTION OF 1777.

Under the Treaty of Paris, signed in 1783, Georgia was left in nominal possession of all the territory for which her charter called. This embraced not only the fertile domain of country between the Altamaha and the Savannah rivers, but a wide belt of territory extending from the headwaters of these streams westward to the Mississippi River. If a straight line be drawn on our present-day map from West Point, Georgia, to a point on the Mississippi where a tributary stream, called the Yazoo River, enters the Father of Waters, this line, corresponding roughly with the thirty-third degree of north latitude, will represent the southern boundary of Georgia's western domain, as defined in the terms of her original grant from the Crown of England.

But Georgia's territorial domain embraced at this time an additional strip of very great importance, extending in width along the Atlantic coast from Darien at the mouth of the Altamaha to St. Mary's, at a point where the Florida line touches the Atlantic Ocean. In length this strip extended to the Mississippi River. For years Spain had claimed this fertile zone to the south of the Altamaha; but, in 1763, having ceded Florida to England, her claims were no longer a standing menace and Georgia's southern frontier was, therefore, extended from Darien to St. Mary's.

South Carolina regarded this extension with looks far from com-

placent. She accordingly entered a protest, claiming that Georgia originally had been carved out of South Carolina and that all lands to the south of the Altamaha, not described in Georgia's charter, belonged not to Georgia but to South Carolina, this property having never left her possession. There was some basis in fact for this contention; but South Carolina agreed to abandon her claim at a conference between the two States, held at Beaufort, S. C., April 28, 1787.*

But what of Georgia's territory to the west of the Chattahoochee River? When England, in 1763, acquired Florida from Spain, she divided her new province into two parts: East Florida, embracing a greater part of the peninsula, and West Florida, a strip extending along the Gulf of Mexico to the Mississippi River and bounded on the north by a line drawn from the Yazoo River eastward to the Chattahoochee. The territory north of West Florida to a point corresponding with the thirty-fifth parallel of north latitude was claimed by Georgia, under her royal grant. However, the Floridas did not long remain in England's possession.

Taking advantage of conditions created by the Revolution, Spain sought to regain her lost possession. This she did; but only in part. For, in the treaty of peace, under which Florida was ceded back to Spain in 1783, England fixed the northern boundary of this cession at the thirty-first parallel of north latitude, in consequence of which all the territory north of this line was ceded to the United States. But Spain became dissatisfied and refused to acknowledge the title of this country to the strip in dispute, embracing some two degrees of latitude in a strip reaching from the Chattahoochee to the Mississippi. Georgia also put in a claim to this territory, since it lay to the west of her own possessions, a claim which accorded with the policy of all the states, in asserting jurisdiction over lands to the west of them; but the United States authorities disputed Georgia's claim on the ground that said strip had been acquired by the nation as a whole and that it belonged therefore to the Federal Government.

Thus, for more than a decade subsequent to the Revolution, this West Florida boundary line remained a subject of contention; but in 1795 Spain relinquished her claim to all territory north of the thirty-first parallel of north latitude, and once more Georgia asserted her claim to the entire region west of the Chattahoochee River. Matters were for a time quieted; but Spain was always a most unpleasant neighbor, and not until Florida was acquired by purchase from Spain in 1819 was the southern boundary line of Georgia definitely and finally settled. But when this time came she had already ceded her western lands to the Federal Government.

Georgia, at the close of the Revolution, was left in a greatly impoverished condition. All of the important towns of the state were in ruins—Savannah, Augusta, Sunbury and Ebenezer. Her population was scattered. Agriculture was languishing. There were few negroes to till the fields, some having fled to other states, while not a few were

* "Marbury and Crawford's Digest," pp. 662-667. Georgia was represented at this conference by two commissioners, John Habersham and Lachlan McIntosh; South Carolina by three commissioners, Charles Cotesworth Pinckney, Andrew Pickens and Pierce Butler.

carried off by the royalists. Schools and churches were closed. There were no courts and judges. Commercial operations had been suspended. It was a time of great heaviness, and to add to the prevailing distress there was an uprising of the Creek Indians.

But the dominant spirit of the Anglo-Saxon asserted itself amid these trying conditions. The most helpless of all the colonies, Georgia was not discouraged, but turned her face hopefully and resolutely toward the sunrise of a new day. Nor was it long before streams of immigrants began to pour into the state from the northward, spreading out over the fertile Georgia uplands. Gen. George Mathews in 1783 settled a colony of Virginians in what was known as the Goose Pond tract on the Broad River. With him came the Gilmers, the Lumpkins, the McGhees, the Freemans, the Meriwethers and the Barnetts. John Talbot, a Virginian, also acquired at an early date extensive grants of land. Other bands of immigrants from the same state found homes on the Little River, some few miles further to the south and west. North Carolinians also began to come in large numbers, swelling the little communities in which Tar Heel settlers had already commenced to swarm on the eve of the Revolution. All of these settlements made between 1777 and 1783 were made in a region to which, under Georgia's first State Constitution, was given the name of Wilkes. From the forest stretches of this region, Colonel Elijah Clarke gathered his loyal band of partisans and marched to the overthrow of Toryism, in the famous battle of Kettle Creek. Gathering up the defenseless women and children of the Broad River district, Colonel Clarke had first taken these to a place of refuge beyond the mountains in Tennessee; and then returning to Georgia he had waged a relentless warfare against the enemies of Georgia, to whom all this part of Georgia was known as the "Hornet's Nest." Governor Wright had obtained these lands by cession from the Indians, in satisfaction of certain debts due to traders, the first cession having been made in 1763, the second in 1773; but as a penalty for having sided with the British, the Indians, as we shall see later, were forced to yield two large additional tracts to the whites.

In 1783, Dr. Lyman Hall became governor. His administration was signalized by an act of confiscation, under which Georgia took possession of all lands, tenements, chattels, and other property interests belonging to those persons who had given help to England during the Revolution. When Georgia was in the hands of the British, in 1782, Governor Wright, acting for the king, had confiscated the property of all who were then in resistance to the crown. Turn about, therefore, was only fair play. Governor Wright's property brought \$160,000. Many who had served the state were handsomely recompensed. Gen. Nathanael Greene, for his part in redeeming Georgia from British domination, was given a magnificent estate on the Savannah River, containing some 2,100 acres, formerly the home of Lieutenant-Governor John Graham; while a similar estate was bestowed upon Gen. Anthony Wayne, who had participated in the closing drama of hostilities on Georgia soil. Both of these illustrious soldiers became citizens of Georgia. General Greene was also given a handsome estate on Cumberland Island. North Carolina and South Carolina both gave estates to General Greene, but he preferred to reside at Mulberry Grove, his Georgia estate, near Savannah. Maj.

James Jackson, for his service to the state, was given a fine old royalist home in Savannah.

Both the Creeks and Cherokees, as above stated, sided with the British during the struggle for independence. In consequence, there was a forfeiture of land to the state at the close of hostilities.* Governor Hall was a man of vision. He realized fully the importance of an educated electorate in the upbuilding of a great commonwealth and out of his recommendations to the Legislature grew not only our earliest town academies but, as we shall see later, our state university at Athens.

GEORGIA'S FIRST NEWSPAPER: THE GAZETTE.—Twelve years prior to the battle of Lexington, the earliest printing press was installed in Savannah; and on April 7, 1763, appeared the initial number of the Georgia Gazette, edited by James Johnson. It was the eighth newspaper to be published in the colonies. Beyond the announcement of vital statistics, the arrival and departure of vessels in the harbor, and items relating to traffic, the little weekly sheet contained no local news. According to one authority, Savannah and Charleston exchanged brieflets in regard to each other: the Charleston editor would gather information about Savannah from visitors who came to trade in Charleston; and this he would publish in the Charleston paper. Two weeks later it would appear in the Georgia Gazette, and vice versa.

But the local column was soon developed. The spirit of resistance to the oppressive measures of the British Parliament bore fruit in news items, which were published at first hand. The earliest bugle call for the patriots to assemble in Savannah was sounded through the columns of the Georgia Gazette, on July 14, 1774. They were requested to meet at the Liberty Pole, in front of Tondoe's Tavern, on July 27 following, and the card was signed by the famous quartette of liberty: Noble Wymberley Jones, Archibald Bulloch, John Houstoun and John Walton, the brother of the signer. Though a large number responded at the appointed time, the Province at large was not represented, and another call was issued for August 10, 1774. At this time, in spite of the governor's solemn edict of warning, also published in the Gazette, they met together and took conservative but firm action. The strong influence of the governor and the effective opposition of such pronounced Loyalists as James Habersham and Noble Jones alone kept the assemblage from sending delegates at this time to the Continental Congress in Philadelphia.

Among the patriots who responded to the earliest summons were: John Glen, Joseph Clay, Noble Wymberley Jones, John Houstoun, Lyman Hall, John Smith, William Young, Edward Telfair, Samuel Farley, John Walton, George Walton, Joseph Habersham, Jonathan Bryan, Jonathan Cochrane, George McIntosh, William Gibbons, Benjamin Andrew, John Winn, John Stirk, David Zoubly, H. L. Bourquin, Elisha Butler, William Baker, Parmenus Way, John Baker, John Stacy, John Morel and others.—"Georgia's Landmarks, Memorials and Legends," L. L. Knight, Vol. II.

GEORGIA'S EARLY CHIEF JUSTICES.—Under the constitution of 1777, provision was made for a Supreme Court—not in the modern sense, however—to consist of a chief justice, with three or more associates residing in the counties. On account of unsettled conditions, court was seldom held during this period. The names of the associates have been lost, but the following is a correct list of the chief justices of Georgia under the first state constitution:

John Glen	1777-1780
William Stevens	1780-1781
John Wreath	1781-1782
Aedanus Burke	1782-1782
Richard Howley	1782-1783
George Walton	1783-1786
William Stith	1786-1786
John Houstoun	1786-1787
Henry Osborne	1787-1789

Compiled from the records.

* "Marbury and Crawford's Digest, Treaties at Augusta," pp. 603-606.

CHAPTER VII

RICHMOND ACADEMY IS CHARTERED—GEORGIA'S OLDEST EDUCATIONAL INSTITUTION—TWO GREAT COUNTIES ORGANIZED OUT OF THE LANDS ACQUIRED FROM THE INDIANS: WASHINGTON AND FRANKLIN—IMMIGRANTS INVITED TO OCCUPY THESE VIRGIN DISTRICTS—HOW THE LANDS WERE DISTRIBUTED—ORIGIN OF THE SYSTEM KNOWN AS HEAD RIGHTS—LAND OFFICE OPENED IN AUGUSTA—GRANTS OF LAND TO REVOLUTIONARY SOLDIERS—EACH WAS GIVEN 250 ACRES, EXEMPT FROM TAXATION, WITH AN ADDITIONAL 15 PER CENT, IF THIS EXEMPTION WAS WAIVED—ALL THE LANDS GRANTED UNDER THE OLD HEAD RIGHTS SYSTEM LIE EAST OF THE OCEENEE RIVER—INCLUDE ALSO A STRIP OF LAND EAST OF THE OLD COUNTY OF WAYNE—COUNT D'ESTAING GIVEN 20,000 ACRES OF LAND—FRANKLIN COLLEGE, AMERICA'S OLDEST STATE UNIVERSITY, IS CHARTERED—IN LIEU OF CASH, 40,000 ACRES OF LAND ARE DONATED BY THE STATE—SAMUEL ELBERT BECOMES GOVERNOR—THE SEAT OF GOVERNMENT IS TRANSFERRED TO AUGUSTA, WHERE IT REMAINS FOR TEN YEARS—MEANWHILE A COMMISSION IS APPOINTED TO LOCATE A SITE FOR A PERMANENT CAPITAL—AN OLD BOUNDARY LINE DISPUTE BETWEEN GEORGIA AND SOUTH CAROLINA IS SETTLED—THE TUGALO RIVER IS ACCEPTED AS THE MAIN STREAM OF THE SAVANNAH, FROM THE MOUTH OF WHICH GEORGIA'S NORTHERN BOUNDARY IS DRAWN—DEATH OF GEN. NATHANIEL GREENE—FUNERAL OBSEQUIES—HIS PLACE OF INTERMENT FOR YEARS AN UNSOLVED ENIGMA—THE ARTICLES OF CONFEDERATION HAVING PROVED UNSATISFACTORY, A CONVENTION IS CALLED TO DEVISE A NEW FEDERAL CONSTITUTION—THE ANNAPOLIS CONFERENCE—THE CONTINENTAL CONGRESS—GEORGIA'S DELEGATES FROM 1775 TO 1789.

NOTES: MULBERRY GROVE—GEORGIA'S OLDEST NEWSPAPER—GEORGIA'S OLDEST MILITARY ORGANIZATION.

Under the State Constitution of 1777, provision was made for the establishment, in each county, of schools to be maintained at the general expense. Accordingly, in July, 1783, while Governor Hall was chief executive, a charter was granted by the Legislature to Richmond Academy, an institution which survives to the present day as the oldest of Georgia's schools. For years the trustees of Richmond Academy directed the affairs of the City of Augusta. Likewise, in 1783, a charter was granted for an academy to be located at Waynesboro, in the county of Burke. It was not until February, 1788, that the Legislature granted a charter for Chatham Academy in Savannah, but the history of this institution has been resplendent with achievement.

In 1784, John Houstoun was for the second time called to the executive helm. It was during Governor Houstoun's administration that the lands acquired from the Indians, under treaties made at Augusta, in 1783, were organized into two great counties: Washington and Franklin. At the close of the Revolution there were eight counties in Georgia, all of which were created, as we have seen, by the Constitution of 1777. These were: Chatham, Burke, Effingham, Richmond, Glynn, Camden, Liberty and Wilkes. There were now in all ten counties.

Immigrants were invited to occupy these newly acquired lands. One thousand acres was fixed as the limit for each family, under the system of distribution in vogue, all additional lands to be acquired by purchase at the rate of three shillings per acre.* Lands were distributed at this time under what was known as the Head Rights system, according to which method of conveyance each head of a family settling in Georgia was granted 200 acres for himself, fifty acres for each child, and fifty acres for each negro owned by him, not in excess of ten. Moreover, he was allowed to select and survey a body of unoccupied land to suit his own inclination.

Head Rights were first granted by the trustees, under royal authority received from King George II of England. During the administration of Governor Ellis there arose some dispute concerning titles to land made by the Lord Proprietors of South Carolina, some of these titles antedating Georgia's establishment. At one time, it will be remembered, Georgia formed a part of South Carolina; and, when her charter was surrendered back to the Crown in 1752, there was a disposition on the part of South Carolina to extend her jurisdiction over a part of Georgia's domain, to the south and west of the Altamaha. Accordingly, Governor Ellis caused an act to be passed by virtue of which all persons holding any lands or tenements whatsoever within the said province of Georgia, by and under grants from the trustees, or by and under grants obtained since the surrender of Georgia's charter, were "established and confirmed in the possession of their several and respective lands and tenements"; and such grants were "accordingly ratified and confirmed and declared to be good and valid to all intents and purposes whatsoever, against all persons claiming any estate or interest therein, by and under the said Lord Proprietors of Carolina or by and under any former grants obtained before the date of his majesty's charter to said trustees for establishing the colony of Georgia, any act, law, or statute to the contrary notwithstanding."†

There was passed at Savannah, on June 7, 1777, an act for the opening of a land office, under which, as above stated, every white person or head of a family was entitled to 200 acres of land for himself, besides fifty acres for each child and fifty acres for each negro, not to exceed ten in number. Later, the amount of land which one could acquire under these Head Right grants was limited to 1,000 acres; but for a stipulated sum he could increase his grant if he so desired. The grantee was free to choose his Head Right from any unoccupied lands, but to

* "History of Georgia," R. P. Brooks, p. 143.

† Article by Philip Cook, secretary of state, on Head Rights and Land Grants of Georgia, published in the "Joseph Habersham Collections," Vol. I, pp. 303-308.

avoid confusion and to perfect his titles he was required to make proper returns.

Bounties to Revolutionary soldiers to be paid in Head Rights were first authorized by an act passed August 20, 1781, at which time to encourage patriotism each soldier who was able to exhibit to the Legislature a certificate from his commanding officer as to his faithful discharge of duty, was to be given 250 acres of land, when the expulsion of the British was successfully accomplished. On February 17, 1783, an act was passed providing for a land court to be opened at Augusta, where all soldiers on presentation of certificates were to receive each 250 acres of land, under Head Right grants, to be exempt from taxes for a period of ten years. If the grantee chose to waive this exemption, he was to receive an additional 15 per cent of land, making his Head Right call for 287½ acres of land.

Under the provisions of this act over 4,000 Revolutionary soldiers received Head Rights to land lying chiefly in the two new counties of Franklin and Washington. With only a very few exceptions, these old soldiers waived exemption and assumed the payment of taxes to begin at once. Thousands were induced to settle in Georgia by reason of the state's liberal policy. For years subsequent to the Revolution, they continued to locate in Georgia and numbers of these acquired land under the various lottery acts of a later period. All the Head Right lands in Georgia, north of the Altamaha, lie east of the Oconee River; all south of the Altamaha lie east of the old original County of Wayne.

As we have already seen, Georgia, at the close of the Revolution, granted handsome estates to Gen. Nathaniel Greene of Rhode Island and to Gen. Anthony Wayne, of Pennsylvania, both of whom had accepted the state's generous gifts and become citizens of Georgia. The Legislature of 1794, in keeping with this policy of rewarding the state's benefactors, granted 20,000 acres of land to Count D'Estaing for his heroic devotion to the cause of liberty, especially as evinced in his gallant but unsuccessful effort to raise the siege of Savannah. Deeply affected by this recognition of his gallantry, the noble count, who was then suffering from a dangerous wound, wrote a letter of grateful acceptance to Governor Houstoun, in which he said: "The mark of its satisfaction which the State of Georgia was pleased to give me, after I had been wounded, was the most healing balm which could have been applied to my pains."

Georgia's great educational needs loomed before her far-sighted lawmakers at this time with colossal import, forming a pillar of cloud by day and a pillar of fire by night. Governor Hall, in his message to the Legislature of 1783, had stressed these needs and in response thereto the General Assembly had chartered two academies, one for Richmond and one for Burke. But the Legislature of 1784 went still further by making a grant of 40,000 acres of land, with which to endow a college or seminary of learning. This was the germinal inspiration of our State University at Athens originally known as Franklin College. The land thus granted by the State Legislature was located in the two newly created counties, viz., Washington and Franklin; and the proceeds arising from its sale were to be utilized in the erection of buildings and in the purchase of

needed equipment. But further discussion of this subject is reserved for a subsequent chapter.

In 1785 Samuel Elbert became governor; and in 1786 Edward Telfair was again called to the helm of affairs.

With the return of peace, Savannah had once more become the seat of government; but the spread of Georgia's population toward the foothills necessitated a change of location. There were no good roads in those days and since traveling in stage coach or on horse-back was necessarily slow, settlers in the newly acquired lands were reluctant to make so long and hazardous a journey. During the Revolution the seat of government had twice been shifted to Augusta, and in the summer of 1783 the Legislature had again met in that town, which, for temporary purposes at least, seemed to offer a convenient site, and accordingly, in 1786, the capital of the state was transferred to Augusta, where it remained continuously until 1796. Meanwhile, however, the Legislature of 1786 appointed commissioners to locate a permanent site for the state capital. It was to be located within twenty miles of Galphin's Old Town and was to be called Louisville. The commission appointed by Governor Telfair to locate a site was as follows: Nathan Brownson, William Few and Hugh Lawson. Ten years elapsed before this commission finally completed its work.

While Samuel Elbert was governor in 1785 an old boundary line dispute between Georgia and South Carolina reached an eruptive state. South Carolina contended that Georgia's northern boundary line should be run from the mouth of the Tugalo River, whereas Georgia contended that her northern boundary line should run from the mouth of the Keowee. To increase the irritation produced by this issue, South Carolina again claimed all the lands in Georgia to the south of the Altamaha River. She finally appealed the matter for settlement to the Continental Congress, which body, in 1785, selected a court to hear both sides; but the two states in the meantime, having agreed to adjust the matter amicably, a conference was held at Beaufort, South Carolina, in 1787, at which time the Tugalo River was accepted by both states as the main stream of the Savannah River; and accordingly it was from the mouth of the Tugalo that Georgia's northern boundary line should be drawn. When the line was finally surveyed, it was found that a strip of territory twelve miles wide, extending westward to the Mississippi River belonged to South Carolina, but since this strip was of no practical value to that state, it was deeded by South Carolina to the Federal Government, by which it was deeded back to Georgia in 1802. As a result of the Beaufort conference, South Carolina also agreed to relinquish her claims to the region of country lying between Darien and St. Marys.*

On November 19, 1786, Gen. Nathaniel Greene died at Mulberry Grove as the result of a sunstroke. The illustrious soldier had been a resident of Georgia for only two years. At the time the Legislature of this state conferred the Graham plantation upon General Greene, North Carolina voted him 25,000 acres of land on Duck River and South Carolina gave him an estate valued at £10,000 sterling on Edisto River. He chose to establish his residence at Mulberry Grove, even in preference

to the home of his birth in Rhode Island; and, on October 14, 1785, he left for Georgia, to become one of her honored and beloved citizens.

Regarding his life at Mulberry Grove, one of his biographers, William Johnson, says: "His time was altogether devoted to the education of a charming family, the cultivation of his land, and the paternal care of his slaves. The intervals of his more serious employments were agreeably filled by a select library and by a spirited correspondence with his numerous friends, as well in Europe as in America; and he resigned himself, without reserve, to the enjoyments of his fireside and to the interchange of civilities with his numerous and wealthy neighbors." In November, soon after his arrival, he writes: "We found the house, situation, and out-buildings, more convenient and pleasing than we expected. The prospect is delightful, and the house magnificent. We have a coach-house, with stables, a large out-kitchen, and a poultry house nearly fifty feet long by twenty wide, parted for different kinds of poultry, with a pigeon-house on the top, which will contain not less than a thousand pigeons. Besides these, there is a fine smoke-house. The garden is in ruins, but there are still a variety of shrubs and flowers in it."

Again, in the month of April following, General Greene writes: "This is the busy season with us. We are planting. We have upwards of sixty acres of corn and expect to have one hundred and thirty of rice. The garden is delightful. The fruit-trees and flowering shrubs form a pleasing variety. We have green peas almost fit to eat, and as fine lettuce as ever you saw. The mocking-birds surround us evening and morning. The weather is mild and the vegetable kingdom progressing to perfection. We have in the same orchard apples, pears, peaches, apricots, nectarines, plums of different kinds, pomegranates, and oranges. And we have strawberries which measure three inches round. All these are clever, but the want of our friends to enjoy them with us, makes them less interesting." General Greene was destined never to see the fruit then blossoming at Mulberry Grove.

On Monday, June 12, 1786, General Greene's presence was required at Savannah. He made the journey, accompanied by his wife, and visited the home of Maj. Nathaniel Pendleton, one of his aides during the war; and here, under the roof of his old friend, they passed the night. On the next morning they started early for home, intending to spend the day at the house of Mr. William Gibbons. They arrived at the latter's plantation early in the forenoon and, after breakfast, the gentlemen walked into the rice-field together, to view the progress of the crop, in which General Greene was much interested. The sun was intensely hot, but General Greene had been too long a soldier to fear any danger from the warm southern sun. On the way home, in the evening, he complained of a severe pain in the head. It grew worse, and by Thursday his forehead was very much inflamed and swollen. Major Pendleton fortunately arrived on a visit, and, his apprehensions aroused by

* "Johnson's Life of Nathaniel Greene," Vol. II, p. 418, 1822.

† "The Remains of Major-General Nathaniel Greene, a Report of the Special Committee of the General Assembly of Rhode Island, etc.," p. 79, Providence, Rhode Island, 1903.

‡ Ibid., p. 79.

* "Crawford and Marbury's Digest," pp. 662-667.

an obvious depression of spirits on the part of his old commander, who seemed loath to join in the conversation, he urged him to consult a doctor. On the next morning the physician arrived, took a little blood and administered some ordinary prescription, but the inflammation increasing another physician was called into consultation. The disease, having now assumed an alarming aspect, it was decided to blister the temples and to let the blood freely; but it was too late; the head had swollen greatly; and the patient lapsed into a total stupor, from which he never revived. Early on the morning of Monday, November 19, 1786, he died.

Gen. Anthony Wayne, whose plantation was not far distant, hearing of the illness of his friend, hastened to his bedside, and was with him when the end came. In a letter addressed to Maj. James Jackson, he said: "He was great as a soldier, greater as a citizen, immaculate as a friend. His corpse will be at Major Pendleton's this night, the funeral from thence in the evening. The greatest honors of war are due his remains. You, as a soldier, will take the proper order on this melancholy affair.ardon this scrawl; my feelings are too much affected because I have seen a great and a good man die." When the news reached Savannah, it produced overwhelming sorrow. Preparations were hastily made to do full honor to the memory of the distinguished man and to surround the obsequies with the dignity befitting his high rank and character. On Tuesday, the day after his death, the remains were taken by water to Savannah, thence to the home of Major Pendleton, which stood on Bay Street, next to the corner of Barnard Street and close to the water's edge. In front of this house the militia, representatives of the municipality, members of the Society of the Cincinnati, and many persons in private and official life, received the body. Flags in the harbor were lowered to half-mast, the shops and stores in town were closed, and labor of every kind was suspended. At about 5 o'clock in the afternoon, the funeral procession started from the Pendleton house to the Colonial Cemetery, belonging to Christ Church; the artillery in Fort Wayne firing minute-guns as the long lines advanced; the band playing the solemn "Dead March in Saul."

On reaching the burial ground, where a vault had been opened, the regiment filed to right and left, resting on arms until the funeral train had passed to the tomb. Then the Hon. William Stevens, judge of the Superior Court of Chatham County and Grand Master of the Masons, took his place at the head of the coffin, since there were no clergymen in the town at this time, and, with tremulous voice, read the funeral service of the Church of England. Then the body was placed in the vault; the files closed, with three general discharges; the artillery fired thirteen rounds, and, with trailed arms, all slowly and silently withdrew. Although so large a number of people attended the funeral obsequies and participated in the deep grief which followed the death of this distinguished man, the place of his burial, due to a singular combination of circumstances, became in a little more than thirty years unknown to the local authorities and remained for over a century an unsolved enigma.

On February 3, 1786, a new county was organized out of lands taken from Washington, and in honor of Gen. Nathanael Greene, of the Revo-

lution, was called Greene. Most of its early settlers were veterans of the war for independence.

There was held in Annapolis, Maryland, in 1786, a conference out of which grew the call for a convention to organize a more stable government. The Articles of Confederation had failed to meet the needs of the nation. As independent sovereignties, each of the original thirteen states was jealous of its own individual rights and powers; and with no cohesive force to unite them the nation was in imminent peril, not only from foes without but from dissensions within. The Continental Congress was wholly powerless to deal with this awkward situation and was soon to be superseded by a new form of government. But the details of this change are reserved for a subsequent chapter. Georgia, from first to last, was represented in the Continental Congress by the following delegates: Archibald Bulloch, 1775-1776; Lyman Hall, 1775-1777; John Houston, 1775-1777; Noble Wymberley Jones, 1775-1776, 1781-1783; John J. Zubly, 1775-1776; Button Gwinnett, 1776-1777; George Walton, 1776-1779, 1780-1781; Nathan Brownson, 1776-1778; Edward Langworthy, 1777-1779; Edward Telfair, 1777-1779, 1780-1783; Joseph Wood, 1777-1779; Joseph Clay, 1778-1780; William Few, 1780-1782, 1785-1788; Richard Howley, 1780-1781; William Gibbons, 1784-1786; William Houston, 1784-1787; Abraham Baldwin, 1785-1788; John Habersham, 1785-1786; and William Pierce, 1786-1787.*

MULBERRY GROVE: THE GENERAL GREENE ESTATE WHERE THE COTTON GIN WAS INVENTED.—Fourteen miles above Savannah, on the south side of the river, stood the dignified old mansion of Gen. Nathanael Greene, surrounded by 2,170 acres of the best river bottom land in Georgia. Besides recalling the illustrious soldier, who ranks second only to Washington, the Mulberry Grove Plantation was the scene of Eli Whitney's great invention: the cotton gin. This was formerly the home of the royal lieutenant-governor, John Graham; but having been forfeited to the State of Georgia, it was given to General Greene in appreciation of his services, in expelling the British invader from Georgia soil. The estate was one of the finest in the neighborhood of Savannah, a statement sufficiently attested by the fact that the lieutenant-governor sought to recover the sum of £50,000 sterling, by way of indemnification. President Washington, on his visit to Georgia, in 1791, stopped at Mulberry Grove to pay his respects to the widow Greene.

The dwelling remained in an excellent state of preservation until recent years, when it was partially wrecked by a storm, after which it was not rebuilt. The site formerly occupied by the old homestead is now the property of Mr. Van R. Winkler.—"Georgia's Landmarks, Memorials and Legends," L. L. Knight, Vol. I.

GEORGIA'S OLDEST SURVIVING NEWSPAPER.—To the City of Augusta belongs the credit of possessing the oldest newspaper in Georgia: the Chronicle and Constitutionalist. It is the outgrowth of two very early sheets which were years ago combined: the Chronicle, founded in 1785, and the Constitutionalist, founded in 1799. Much of the history of Georgia has been reflected in the columns of this time honored journal, and in those of the papers which united to form it; nor is it invidious to say that few organs of public opinion in the South have been so dominant in shaping platforms and policies. The old Chronicle itself was formerly a compound. Back in the '40s sometime, its owners purchased the Sentinel, a paper edited by Judge Longstreet, whose pen could be trenchant and caustic as well as playfully humorous. It was the era of polemics; and bitter beyond anything known to recent years were the acrimonious controversies of ante-bellum days. The olive branch was unknown. Fresh words almost invariably ended in personal encounters, and quarrels over trifles were frequently adjourned to the field of honor; but the fear

*"Biog. Cong. Directory, 1774-1911," p. 26.

of bloodshed operated as no deterrent to men of Cavalier antecedents.—'Georgia's Landmarks, Memorials and Legends,' L. L. Knight, Vol. I.

GEORGIA'S OLDEST MILITARY ORGANIZATION.—On May 1, 1786, before the adoption of the Federal Constitution, the martial enthusiasm of Savannah asserted itself in the organization of the oldest military company in Georgia: the Chatham Artillery; and the initial appearance of the newly organized command was made some few days later at the funeral obsequies of the illustrious soldier, Maj. Gen. Nathanael Greene. On Independence Day following the company participated in the patriotic exercises; and, attired in full uniform, lent picturesque and dramatic interest to the occasion. Among the original members were several veterans of the Revolution; but, even in the faces of the youthful members, there glowed the defiant and intrepid spirit of '76. Capt. Edward Lloyd, a one armed Revolutionary soldier, was the first commandant. The visit of President Washington to Georgia, in 1791, marked another important event in the life of the Chatham Artillery; and, so impressed was the nation's chief magistrate with the splendid appearance of the organization that, when he returned to Philadelphia he ordered two handsome bronze field pieces to be forwarded to the Chatham Artillery with the compliments of the President of the United States. These proved to be six-pounders, both of which were trophies of war captured from the British; and, on one of them was inscribed these words: "Surrendered at the capitulation of York Town, October nineteenth, 1781. Honi soit qui mal y pense—G. B. R." It was cast in 1756 during the reign of George II; and, besides the inscription, it bore the stamp of the imperial crown. Though no longer used in actual service the "Washington Guns" are still treasured among the most precious keepsakes and mementoes of the ancient organization. The Chatham Artillery participated in the War of 1812 and in the war between the states. When hostilities with Mexico began in 1845 the services of the company were offered to the United States Government but they were not needed.

During the first week of May, 1886, the centennial jubilee of the Chatham Artillery was celebrated. Visiting companies from various states of the Union enjoyed the lavish hospitality of Savannah; fetes and tournaments were held in compliment to the city's distinguished guests; and round after round of merriment imparted an endless charm of variety to the historic festival. Serious business of every kind was suspended. Old soldiers held reunions; the hatchet was buried; and both the blue and the gray met in fraternal converse around the same camp-fires. It will ever be a source of the keenest satisfaction to the people of Savannah that they were privileged to entertain at this time the great leader of the lost cause. He was then an old man, near the end of his long life of four score years; and it marked one of the very few occasions, after the war, when the recluse of Beauvoir consented to appear in public. With him was Winnie, the beloved and only "Daughter of the Confederacy," whose birth in the White House at Richmond, during the last year of the war, gave her this peculiar and exclusive title of honor.—'Georgia's Landmarks, Memorials and Legends,' L. L. Knight, Vol. I.

GEORGIA'S OLDEST ORGANIZATION OF CAVALRY.—Emulous of the brave deeds of men like Screven and Stewart and McIntosh, the sons of these men and of those who fought with them, met together and organized—either in 1791 or in 1792—the Liberty Independent Troop. It survives to the present day—the oldest cavalry organization in Georgia. With the single exception of the Chatham Artillery, it is the oldest military organization of any kind: a distinction of which the county may well be proud. In the various state tournaments which have been held from time to time, the Liberty Independent Troop has seldom failed to win the trophies. Its record in this respect is phenomenal. In 1845 another company was organized in the upper part of the county, viz., the Liberty Guards, an organization which likewise exists today. To quote Doctor Stacy: "These companies have never failed to make the offer of their services when needed by their country, and they have won laurels on every knighted field."—'Georgia's Landmarks, Memorials and Legends,' L. L. Knight, Vol. I.

CHAPTER VIII

THE OCOREE WAR—GROWS OUT OF CERTAIN INDIAN TREATIES NEGOTIATED BY THE STATE WITHOUT CONSULTING THE GENERAL GOVERNMENT—UNDER THE LEADERSHIP OF ALEXANDER MCGILLIVRAY, AN ARTFUL HALF-BREED CHIEF OF THE CREEKS, THESE TREATIES ARE REPUDIATED—INDIAN DEPREDATIONS ON THE BORDER—THE CONTINENTAL CONGRESS INVALIDATES TWO OF THE GEORGIA TREATIES: GALPHINTON AND SHOULDER-BONE—DESULTORY WARFARE CONTINUES UNTIL WASHINGTON BECOMES PRESIDENT OF THE UNITED STATES—THE TREATY OF NEW YORK—INDIANS GUARANTEED POSSESSION OF CERTAIN LANDS, INCLUDING THE TALLASSEE STRIP—THIS ANGERS GEORGIA AND BECOMES A SOURCE OF PROLONGED IRRITATION—UNREPRESENTED AT THE CONFERENCE IN NEW YORK—THE WAR CONTINUES—BUT THE DEATH OF MCGILLIVRAY AT LENGTH BRINGS HOSTILITIES TO AN END—THE TREATY OF COLERAINE IN 1795 RESTORES AN OLD FRIENDSHIP, THOUGH NO LANDS ARE CEDED—THE MORAVIAN MISSION AT SPRING PLACE IN THE CHEROKEE MOUNTAINS.

NOTES:—THE BATTLE OF JACK'S CREEK.

We have reserved for the concluding chapter of this section an account of the Ocoree war. Both of the treaties made at Augusta, in 1783, the one with the Creeks and the other with the Cherokees, were made without consulting the general government which, under the Articles of Confederation, was given jurisdiction over Indian affairs. The Continental Congress of 1785, therefore, dispatched commissioners to these tribes, with instructions to make definite peace and, if possible, to obtain further cessions. The state also appointed commissioners to attend these negotiations and to protest any measure which might seem to exceed the powers conferred by the Articles of Confederation.* In due time, the Creeks were invited to a conference at Galphinton, but only a small delegation responded to this overture. The commissioners of the general government refused to negotiate a treaty under these circumstances and left for Hopewell, South Carolina, to keep an engagement with the Cherokees. But the Georgians, seizing the strategic opportunity, made a treaty with the chiefs on the spot, obtaining from them a cession in the name of the whole Creek Nation, to the region south of the Altamaha River, called Tallassee.† According to the treaty of Galphinton a line drawn from the confluence of the Ocoree and Ocmulgee rivers "to the most southern part of the stream called the St. Marys

* "Georgia and State Rights," U. B. Phillips, p. 40.

† Ibid., p. 40.

Vol. I—22

river," was declared to be the rightful boundary line between the Indians and the whites. This treaty was formally signed on November 12, 1785. Georgia's two commissioners who negotiated it were: John Twiggs and Elijah Clarke.*

On November 3, 1786, at Shoulder-bone, in what is now the County of Hancock, a treaty was negotiated by Georgia commissioners, with a small delegation of Creeks, who assumed to act for the whole nation, under the terms of which agreement the Creek titles to all lands east of the Oconee were extinguished. On the part of the state, this instrument was witnessed by the following commissioners: John Habersham, Abraham Ravot, J. Clements, James O'Neil, John King, James Powell, Ferdinand O'Neil and Jared Irwin. On the part of the Creeks it was signed by fifty-nine chiefs, head-men and warriors.†

To these treaties, a large element of the Creeks were hostile claiming that, in each instance, the commissioners of Georgia had negotiated with a mere handful of chiefs who represented only a minority sentiment among the tribes to whom these ceded lands belonged. Moreover, it was claimed by the Creeks with sound logic that both of these treaties were null and void, having been negotiated by the State of Georgia, when the treaty making power was vested in the Continental Congress. Had there been a strong central government at this time, the treaties in question would undoubtedly have been abrogated and the Oconee war, with its train of horrors, would have been happily averted.

The commanding spirit among the hostile Creeks at this time was an Indian half-breed named Alexander McGillivray, an artful leader to whose Indian craft was added a lot of Scotch shrewdness. During the colonial period, his father, Lachlan McGillivray, had made his appearance in the Creek Nation as a trader, and had married an Indian princess, from which union Alexander McGillivray had sprung.

McGillivray was a man of decided gifts, of a somewhat delicate mold, well-educated for one whose life was to be spent in a wilderness, among savage tribes. He was ambitious to shape the destiny of his people, but if some of his critics are not unduly biased, he was destitute of any great amount of physical courage and was careful always to keep his personality in the background, while directing the hostile movements of his dusky warriors. To resist these treaties he fired the whole Creek Nation.

On investigation, the Continental Congress declared the treaties made at Galphinton and Shoulder-bone illegal; but it possessed no strong arm of authority with which to overrule the people of Georgia. Consequently the Creeks, finding themselves without recourse, began to make raids upon the white settlements and to convert the disputed border into a savage inferno, red alike with the blood of slaughtered victims and with the fire of burning habitations. This long protracted series of bloody incursions upon the white settlements has sometimes been called the Creek war, but to distinguish it from other troublous affairs with these Indians it is perhaps best to call it the Oconee war. Despite the incessant bloodshed and havoc which followed, settlers at imminent peril to life continued to move over into these disputed lands, east of the Oconee, where they lived

* * * Marbury and Crawford's Digest, Treaty of Galphinton, " pp. 602-608.

† * * Marbury and Crawford's Digest, Treaty of Shoulder-bone, " pp. 619-621.

in log huts erected at intervals along the river. Desultory warfare is always most vexatious. Without decisive results, it makes existence a nightmare of uncertainty and prevents any settled conditions or habits of life. When a new central government was formed with Washington at its head, the promise of a speedy cessation of hostilities was offered, since authority in the realm of Indian affairs was then transferred to the Federal Government, with full power to act. But there was no immediate solution for this vexed problem. Washington was inclined to approve Georgia's contention, but his characteristic caution, re-enforced by a desire to be absolutely just, caused him to send a confidential agent to McGillivray, with a message inviting him to a conference in New York.

This invitation was accepted; and on August 7, 1790, a compact known as the Treaty of New York was signed. Under this instrument the Creeks agreed for a monetary consideration to confirm the treaty at Shoulder-bone, ceding all lands to the east of the Oconee, but refused to recognize the treaty of Galphinton and insisted upon inserting in the new compact an article reserving the Tallassee country to the Creek nation. Moreover, the Indians were guaranteed possession of all remaining lands.

Here we find something entirely new. Nor was Georgia prepared quietly to acquiesce in any such perpetual guarantee of titles to savage tribes upon her soil. Says Mr. Phillips: † "The Georgians at once attacked this article as an unwarranted stretch of the Federal power. James Jackson declared in Congress that the treaty was spreading alarm among the people of Georgia, and complained that it ceded away a great region which was guaranteed to the State by the Federal Constitution. The State Legislature adopted a remonstrance, in which the fear was expressed that the giving of such a guarantee by the central government would lead to the conclusion that sovereignty over such lands belonged to the United States; whereas said sovereignty appertained solely to the State of Georgia, not having been granted to the Union by any compact whatsoever. The discord over the unoccupied lands was due to opposing conceptions of the status of the Indian tribes. The theory of the colonial governments had been that these tribes were independent communities with the rights and powers of sovereign nations. But public opinion was beginning to revert to the original European conception that the relations of the tribes to civilized nations were merely those of dependent communities without sovereignty and without any right to the soil but that of tenants at will. The reorganization of the Government in 1789 brought no change of Indian policy so far as concerned the central authorities. On the other hand, the State governments were growing more positive in their own views. * * * The frontier settlers did not stop with coldly disapproving the treaty. They hotly declared that they would permit no line to be marked out as a permanent boundary between Georgia and the Creek lands denied to her. Further trouble was made by a party of the Creeks dominated by Spanish influence. Frontier depredations began again and continued spasmodically for several years. The Georgians became highly incensed at the Indian outrages, the more so because of the impossibility of deciding where retaliation should be

* * * Marbury and Crawford's Digest, Treaty of New York, " pp. 621-625.

† "Georgia and State Rights," C. B. Phillips, pp. 42-43.

made. A large number of the Creeks were known to be friendly, but exact knowledge of the attitude of each village could not be obtained."

Georgia was not represented at the New York conference, to which treatment she was inclined to demur. Gen. Elijah Clark, of Revolutionary fame, resented so strongly this guarantee to the Indians that he illegally crossed the Oconee and sought to establish a settlement, but was forced to desist by the state authorities.*

Since the Tallassee country still remained a bone of contention, the flames of war soon burst forth anew. Marauding expeditions against the white settlements increased in number to such an extent that Governor Telfair, then occupying the executive chair, proposed a chain of block houses reaching from Florida to North Carolina as a necessary means of defense to insure the safety of white settlers. Gen. John Twiggs, at the head of a militia force, 700 strong, was dispatched against the Creeks, but failure of supplies made the expedition abortive. Washington was urged to intervene; but he opposed a national declaration of war against the Creeks many of whom were anxious for peace. Besides, such a course was more than likely to stir up strife among the Cherokees and bring on trouble with Spain.

But the death of Alexander McGillivray, in February, 1793, caused an unexpected rift in the clouds which had long drooped heavily over the white settlements. The Creeks became disorganized. James Seagrove, an Indian agent, representing the United States Government, took up his residence in Georgia for the purpose of tranquilizing conditions. He succeeded in bringing about a friendly interview between Governor Mathews and a delegation of Creek chiefs, all of which may have had its effect in causing the Legislature to approach the Federal Government on the subject of treaty negotiations.

On June 25, 1795, Washington appointed three commissioners to treat with the Creek Indians, in the hope of a satisfactory settlement. These commissioners were: Benjamin Hawkins, George Clymer and Andrew Bickens.[†] Coleraine, an Indian post, on the St. Mary's River, forty-five miles above St. Mary's, afterwards the site of Fort Pickering, was selected as the place for this important conference; and here, on June 29, 1796, a treaty of peace and friendship between the President of the United States and the Creek Nation of Indians was negotiated.

This solemn document was signed by numerous kings, head-men and warriors of the Creek Nation and by all the commissioners representing the Federal Government. There were commissioners present from Georgia, but they took no formal part in these proceedings. As soon as all was over, they protested in a formal manner against certain items. It was merely as onlookers delegated to keep a watchful eye upon the state's interests that they were present at these negotiations; but they typified a sentiment which was steadily growing more and more powerful in Georgia, a sentiment partial to extreme State Rights. Georgia's conservatism in the Federal Convention of 1787 was pronounced, as we shall see in a succeeding chapter. She needed the protection which only a strong central Government could give to her exposed borders.

* See Chapter 5, Section III.

† "Marbury and Crawford's Digest, Treaty of Coleraine," pp. 632-637.

But to be ignored entirely by the Federal authorities in negotiations which vitally affected her welfare and to be forced into accepting guarantees offensive to her sovereignty, under which guarantees Indian titles to her soil had been confirmed, these were well calculated to arouse her consciousness of independent statehood and to transfer her allegiance from Federalism to Democracy.

Under the Treaty of Coleraine no lands were ceded, but the Treaty of New York was ratified, leaving the beautiful Tallassee lands still in possession of the Creeks. Only a part of this territory was ceded in 1802, and it was not until after the War of 1812 that Georgia finally obtained undisputed possession of all these lands to the south and west of the Altamaha River.

But while the state was thus embroiled in constant warfare, with the Creeks a far happier picture invites our gaze as we conclude this chapter with a scene enacted in the peaceful land of the Cherokees. Spring Place, the county seat of Murray, is associated with the early efforts of a quaint religious sect to evangelize the children of the forest. Here, in the beautiful heart of the Cohutta Mountains, in 1801, the Moravians established a mission and began to labor for the spiritual uplift of the Cherokee Indians. Commissioned by the Society of United Brethren, Rev. Abraham Stern, first penetrated the wilds of this mountain region during the latter part of the eighteenth century; and, though he pressed the matter with great vigor in the council of the nation, he was refused. On a similar errand, in 1800, he failed again; but David Vann, an influential chief of mixed blood, agreed to help him this time, and land was given him on which to start his experiment. In the course of time, opposition on the part of the other chiefs was withdrawn, and the mission began to prosper. Many of the Cherokees were eventually baptized and brought into the church. There was a manual school opened in connection with the mission at Spring Place. The first wagon built by the pupils was given to the chief who contributed the land to the mission. But he was severely criticized by his tribe for accepting this present. The objection was: "If we have wagons, there must be wagon roads; and if wagon roads, the whites will soon be among us." Another mission was established in 1821 at Ootheloga. Both were in a flourishing condition, when removed to the West at the time of the deportation. The Cherokee Indians loved the gentle Moravians, by whom they were never deceived or defrauded.

THE BATTLE OF JACK'S CREEK.—On September 21, 1787, there was fought in a thick cane-brake, near the site of the present Town of Monroe, a famous engagement between a party of Creek Indians and a band of pioneer settlers. The principal actors in the drama, on the side of the whites, were distinguished veterans of the Revolution, one of whom afterwards became governor of the state. The attack upon the enemy was made in three divisions. Gen. Elijah Clarke, the illustrious old hero of Kettle Creek, commanded the center; his son, Maj. John Clarke, led the left wing; while Col. John Freeman commanded the right. The story is best told in the language of the elder Clarke. Says he, in his report of the battle, dated Long Cane, September 24, 1787: "I had certain information that a man was killed on the 17th of this month by a party of six or seven Indians and that on the day before, Colonel Barber, with a small party was waylaid by fifty or sixty Indians and wounded, and three of his party killed. This determined me to raise what men I could in the course of twenty four hours and march with them to protect the frontiers; in which

space of time I collected 160 men, chiefly volunteers, and proceeded to the place where Colonel Barber had been attacked. There I found the bodies of the three men mentioned above, mangled in a shocking manner, and after burying them I proceeded on the trail of the murderers as far as the south fork of the Ocmulgee where, finding that I had no chance of overtaking them, I left it and went up the river till I met with a fresh trail of Indians, coming toward our frontier settlement. I immediately turned and followed the trail until the morning of the 21st, between 11 and 12 o'clock, when I came up with them. They had just crossed a branch called Jack's Creek, through a thick cane-brake, and were encamped and cooking upon an eminence. My force then consisted of 130 men, 39 having been sent back on account of horses being tired or stolen. I drew up my men in three divisions: the right commanded by Colonel Freeman, the left by Major Clarke, and the middle by myself. Colonel Freeman and Major Clarke were ordered to surround and charge the Indians, which they did with such dexterity and spirit that they immediately drove them from the encampment into the cane-brake, where, finding it impossible for them to escape, they obstinately returned our fire until half past four o'clock, when they ceased, except now and then a shot. During the latter part of the action, they seized every opportunity of escaping in small parties, leaving the rest to shift for themselves. White states that in this engagement there were not less than 800 Indians. They were commanded by Alexander McGillivray, a famous half-breed.

Col. Absalom H. Chappell, in discussing General Clarke's account of the battle, makes this comment. Says he: "It is striking to read his report of this battle to Gov. Mathews. No mention is made in it of his having a son in the battle, though with a just paternal pride, commingled with a proper delicacy, he emphasizes together the gallant conduct of Colonel Freeman and Major Clarke, and baptizes the hitherto nameless stream on which the battle was fought, by simply saying that it was called Jack's Creek—a name then but justly bestowed by admiring comrades in arms in compliment to the General's youthful son on this occasion. Long after the youth had ceased to be young and the frosts of winter had gathered upon his warlike and lofty brow, thousands and thousands of Georgians used still to repeat the name of Jack Clarke, without prefix of either Governor or General and to remember him too as the hero of the well-fought battle of Jack's Creek."—"Georgia's Landmarks, Memorials and Legends," L. L. Knight, Vol. I.