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Governor Josiah Martin and his 1772 journey to the North Carolina backcountry

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**GOVERNOR JOSIAH MARTIN AND HIS 1772 JOURNEY
TO THE NORTH CAROLINA BACKCOUNTRY**

A Thesis

Presented to

The Faculty of the Department of History

San Jose State University

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

By

Kenneth D. Hartsoe

December 2001

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ABSTRACT

GOVERNOR JOSIAH MARTIN AND HIS 1772 JOURNEY TO THE NORTH CAROLINA BACKCOUNTRY

By Kenneth D. Hartsoe

During the summer of 1772, North Carolina Governor Josiah Martin visited the backcountry region of his colony. His objective was to acquaint himself with settlers of the frontier counties who were socially and politically isolated from the established provincial leadership on the colony's eastern seaboard. Many of these settlers were Regulators defeated by Governor William Tryon at the Battle of Alamance in May 1771. As a result, Martin inherited a colony smoldering from several years of backcountry violence and disregard for government authority. Martin's trip to the backcountry was the first attempt by North Carolina's royal government to reach out to a bitter and defeated populace. This thesis examines the many challenges Martin faced while in the backcountry and how his response to these challenges secured the trust and respect of a defeated populace.

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Most importantly, I wish to dedicate this work to my wife Jennifer and my son Nathan. The amount of time and effort needed to earn a Master of Arts degree is incredible, and the success I have enjoyed would not be possible without their influence, support, and belief in my dreams. The intensity of this work is but a reflection of my deep love and devotion for them.

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Foreword

During the summer of 1772, North Carolina Governor Josiah Martin visited the backcountry region of his colony. His objective was to acquaint himself with settlers of the frontier counties who were socially and politically isolated from the established provincial leadership on the colony's eastern seaboard. Many of these settlers were yeoman planters who dominated local government until prolific immigration at mid-century brought sweeping changes to backcountry power structures. Local government became a tool of attorneys, merchants, and professional clerks who quickly established a network of influence impenetrable to local planters. These planters expressed their frustrations through the Regulator movement, which sought to reform local government during the late 1760s. After peaceful attempts for redress failed, violence erupted in the backcountry between Regulators and local officials. Three months before Martin was sworn into office as Governor of North Carolina, the Regulators were soundly defeated by Governor William Tryon at the Battle of Alamance in May 1771. As a result, Martin inherited a colony smoldering from several years of backcountry violence and disregard for government authority. Martin's trip to the backcountry was the first attempt by North Carolina's royal government to reach out to a bitter and defeated populace. Martin's impact on the backcountry

depended upon his ability to balance royal authority with "the exercise of mercy & the display of the olive branch."¹

¹ Vernon O. Stumpf, "Josiah Martin and His Search for Success: The Road to North Carolina," North Carolina Historical Review 53 (January 1976) : 75.

Chapter 1

Josiah Martin: Soldier and Governor

Josiah Martin was born into the English aristocracy in April 1737. Although he briefly considered law as his calling, Josiah Martin entered the British army in 1757 as ensign of the Fourth Regiment of Foot. During the next twelve years, Martin quickly rose through the ranks of the British army. However, his rank of lieutenant colonel failed to secure the income and prestige he desired.

Somewhat in the shadow of his father Samuel, the governor of Antigua, and his older brother Samuel Jr., who boasted of powerful friends in Whitehall, Martin's military career provided insufficient opportunity to rise to prominence in the Empire. Considering the status and influence of his father and brother, Martin was adrift in mediocrity. A brief appointment to New York's Royal Council during the late 1750s provided Martin with insight into colonial affairs, and by the late 1760s, he actively sought a civil appointment. Through cordial relations between Samuel Martin Jr. and Lord Hillsborough, British Secretary of State for the Southern Colonies, Martin secured an appointment as Governor of North Carolina in January 1771. At thirty-three years of age, Martin was the youngest governor in British North America.

Royal governors walked perhaps the thinnest tightrope of any colonial official. By the time of Martin's arrival in North Carolina in August 1771, that

tightrope had been frayed to a thread. "The inhabitants of North Carolina... always behaved insolently to their governors," wrote Governor George Burrington in the 1730s. "Some they have imprisoned, others they have drove out of the country, and at other times they set up a governor of their own choice, supported by men under arms."² The royal governor was the highest representative of the King in the colony and was responsible for implementing royal policies. The governor ruled the provincial Assembly and the Executive Council. North Carolina's Assembly was dominated by wealthy merchants and powerful landowners who represented the interests of the colony's established coastal communities. Their aggressive leadership, control of provincial finances, and proximity to their local power base made the Assembly an independent, self-determined body that, according to Jack P. Greene, had "assumed the upper hand in North Carolina politics" by the 1760s.³ The Executive Council, appointed by the King, served as an advisory body to the governor without the influence of a provincial constituency. North Carolina's Executive Council was composed of

² Richard Walser, ed., The North Carolina Miscellany (Chapel Hill: University of North Carolina Press, 1962), 55.

³ Jack P. Greene, "The Role of the Lower Houses of Assembly in Eighteenth-Century Politics," as published in James Kirby Martin, ed., Interpreting Colonial America: Selected Readings (New York: Harper & Row Publishers, Second edition, 1978), 316; For examples of this view of Martin as an administrator obstructed by the legislature, see Stumpf, "Josiah Martin and His Search for Success: The Road to North Carolina," North Carolina Historical Review 53 (January 1976), 55-79, and Josiah Martin: The Last Royal Governor of North Carolina (Durham: Carolina Academic Press for the Kellenberger Historical Foundation, 1986); H. Braughn Taylor, "The Foreign Attachment Law and the Coming of the Revolution in North Carolina," North Carolina Historical Review 52 (1975) : 20-36; A. Roger Ekirch, "Poor Carolina": Politics and Society in Colonial North Carolina, 1729-1776 (Chapel Hill: University of North Carolina Press, 1981) and "Whig Authority and Public Order," as published in Hoffman, Ronald, Thad W. Tate and Peter J. Albert, eds., An Uncivil War: The Southern Backcountry During the American Revolution (Charlottesville: University Press of Virginia, 1985), 102-106; Richard B. Sheridan, "The West Indian Antecedents

wealthy colonists who maintained close ties with influential provincial elite.

Councilors often disagreed with royal policy. This was especially true for Martin as the Executive Council revealed its growing patriotic Whig fervor early in his administration by resisting his policies, thus inhibiting the royal prerogative.⁴

Martin's position as the highest representative of royal authority superseded whatever provincial interests required his attention. Taxation, currency, trade, and judicial reform surfaced as critical provincial issues during Martin's tenure, yet the dependence of his position upon royal policy in conjunction with his meticulous nature severely impeded his ability to respond efficiently. An official response to one of his requests for policy clarification could take as long as four months. Thus, pressing local issues were only partially resolved.

Royal governors also had to accommodate changes in personnel as British administrators were shuffled to new assignments. Martin's appointment as governor was attributed to the influence of his older brother Samuel Jr. upon Wills Hill, the Earl of Hillsborough and Secretary of State for the Southern Colonies. Historian Hiller B. Zobel credits Lord Hillsborough as a participant in "having sponsored the most thoughtless and unimaginative aspects of British colonial policy during the 1760s." Apparently his superior shared this opinion. King George III concluded that he did "not know a man of less judgment than

of Josiah Martin, Last Royal Governor of North Carolina," North Carolina Historical Review 54 (July 1977) : 253-270.

Lord Hillsborough.⁴⁵ Lord Hillsborough had strongly supported Governor Tryon's actions toward the Regulators in so much as royal policy remained unobstructed. The Martin family's reputation among the English aristocracy and Samuel Martin's personal relationship with Lord Hillsborough probably encouraged Martin in his official endeavors early in his administration.

Martin wrote extensive reports to Lord Hillsborough during the first fifteen months of his administration that detailed his views and actions towards provincial affairs. Although Lord Hillsborough remained distant and unimaginative regarding policy recommendations, he nevertheless approved Martin's enthusiasm. In August 1772, however, Lord Hillsborough resigned his position as Secretary of the Southern Colonies in order to retire to his estate in Ireland. Martin was isolated in the midst of backcountry North Carolina at this time and did not learn of Hillsborough's retirement until late in the year. Thus, Martin's most powerful supporter and personal connection to the halls of power was no longer available. Lord Hillsborough was replaced by Lord Dartmouth. As a result, the months of communication between Martin and Lord Hillsborough meant nothing, as Martin had to begin anew to inform his superior of backcountry affairs. Lord Dartmouth's instructions to Martin reveal an official whose physical

⁴ See Peter C. Hoffer and N.E.H. Hull, "Power and Precedent in the Creation of an American Impeachment Tradition: The Eighteenth-Century Colonial Record," William and Mary Quarterly 36 (January 1979) : 57-62.

⁵ Hiller B. Zobel, The Boston Massacre (New York: W.W. Norton & Company, 1970), 69, "George III to John Robinson, October 15, 1776," as quoted in Zobel, 326.

distance, absence of knowledge, and lack of interest resulted in a knee-jerk policy of royal expediency at the expense of provincial necessity.

Historians have traditionally evaluated Martin from an American perspective by emphasizing his role in pre-Revolutionary North Carolina politics rather than emphasizing his effectiveness in implementing British colonial policy. During the nineteenth century, historians often compared Martin to his predecessor, William Tryon (1765-1771), considered to be North Carolina's most celebrated royal governor. Tryon's success in dealing with provincial officials was attributed to his political acumen, dashing personality, and social finesse. Historian Hugh Williamson wrote the first extensive history of North Carolina after the Revolution and is very critical of Martin and his administration. Although Williamson acknowledges that Martin "acquired the esteem and confidence of the Regulators," he presents a cynical portrait of Martin as an inept governor jealous of Tryon's successes:

Martin sickened at the praises of Tryon. He had little reason to expect that his own achievements would swell the trump of fame. He could hardly rise to the standard of Tryon, but he might possibly reduce the character of Tryon, in the province, to his own level. The Man who scatters censure is sure to please the ignorant and the disappointed. He takes the beaten road to popularity. It may be trodden without the aid of virtue or talents. Governor Martin pursued that course.⁶

⁶ Hugh Williamson, The History of North Carolina (Philadelphia: Fry and Kammerer, printers, 1812), 163.

Williamson's critical evaluation of Martin's opinion of Tryon is surprising as Martin's official correspondence reveals only praise and respect for his predecessor.⁷

Eli W. Caruthers' detailed sketch of David Caldwell, a Presbyterian minister who lived and served among the Regulators, describes Martin in similar terms. "He was mild and conciliatory in his manners," writes Caruthers, "Tryon was haughty, choleric, and absolute...Martin took the opposite course; and as he was condescending and familiar in his manners, the people thought him 'a mighty clever, genteel man.'"⁸ Joseph Morehead, writing at the end of the nineteenth century, echoes Caruthers' assessment of Martin: "Governor Martin was a royalist and true to the King and the trust imposed upon him; but he appears to have been a man of upright and disinterested purposes."⁹ It is noteworthy that Morehead's favorable account of Martin is expressed in an essay that memorializes Regulator leader James Hunter.

Contemporary analysis lacks the comparative Martin versus Tryon framework of nineteenth-century historians. Replacing this comparative framework is an interpretation that concentrates on a larger notion of society and

⁷ It is of interest to note that a popular nineteenth-century source, prominent in Regulator historiography, also suggests Martin was critical of Tryon's actions. See Eli W. Caruthers, A sketch of the life and character of the Rev. David Caldwell, D.D., near sixty years pastor of the churches of Buffalo and Alamance (Greensborough: Printed by Swaim and Sherwood, 1842), 175-176.

⁸ Ibid.

⁹ Joseph M. Morehead, Addresses on the Life and Times of James Hunter, "general" of the Regulators: of Professor J.M. Weatherly, on the presentation of David Clark's portrait of John Penn; of Hon. Charles M. Stedman, on the Schenck Museum, Guilford Battle Ground, July 3rd 1897 (Guilford Battleground Co., 1897), 39.

politics immediately prior to the Revolution.¹⁰ "After visiting them," wrote Duane L. Meyer in his study of the Highland Scots in North Carolina, "the new Governor became sympathetic to their plight and ... attached the Regulators to himself."¹¹ In Elisha P. Douglass' examination of democratic forces at work in the American colonies during the Revolutionary period, Martin's positive reception in the backcountry is reinforced: "Former Regulators were as much impressed with Martin's sympathy as he by their grievances."¹² A. Roger Ekirch has most accurately summarized Martin's backcountry journey and subsequent relationship with former Regulators. According to Ekirch, Martin's journey "effectively removed any remaining doubts he might have had about the validity of Regulator grievances."¹³

More recently, historians present Martin as an ineffective administrator thwarted by the Revolutionary fervor of the North Carolina General Assembly. Douglass attributes backcountry disenfranchisement in North Carolina to the political elitism of the Whig-dominated Assembly.¹⁴ Vernon O. Stumpf, author of the only biography of Martin, supports this perception of Martin as an obstructed governor. "If he had the time," writes Stumpf, "it is quite possible that Martin

¹⁰ See Elisha P. Douglass, Rebels and Democrats: The Struggle for Equal Political Rights and Majority Rule during the American Revolution (Chapel Hill: University of North Carolina Press, 1955), 71-114; A. Roger Ekirch, "Whig Authority and Public Order in Backcountry North Carolina, 1776-1783," 102-106, and "Poor Carolina", 204-211; Duane Meyer, The Highland Scots of North Carolina 1732-1776 (Chapel Hill: University of North Carolina Press, 1961).

¹¹ Meyer, 135-136.

¹² Douglass, 104.

¹³ "Poor Carolina", 211. For a more general analysis of the Regulators by Ekirch, see "North Carolina Regulators on Liberty and Corruption, 1766-1771," Perspectives in American History 11 (1977-1978) : 197-256.

might have had an opportunity to reconcile some of the problems, but the growing revolutionary ferment blocked any peaceful solution."¹⁵ Joseph Younger Blanks Jr., author of the only academic analysis of Martin's administration, concluded that Martin was "merely a single organ of a system of government which was beginning to crumble over which he would exert little influence."¹⁶ Likewise writes Richard B. Sheridan in his thorough examination of Martin's career prior to his appointment as governor of North Carolina: "Martin's administration was torn by constitutional and personal conflict which led to the paralysis of colonial government and culminated in bloody revolution."¹⁷ Thus, historians have presented Martin as a mediocre administrator, hidden in the shadow of his predecessor, who accomplished nothing noteworthy during his tenure as governor except for befriending disgruntled Regulators through various reform efforts. Nevertheless, questions abound.

Why would Martin sympathize with insurgents who had taken up arms against royal authority? As a former lieutenant colonel in the British army who considered the military his "beloved profession of arms," reason dictates that he should have sympathized with Tryon's military conquest of the Regulators. Furthermore, North Carolina leaders hailed Tryon's victory. By expressing similar views, Martin could have begun his administration with considerable support from

¹⁴ Douglass, 99-101. See also John C. Miller, Origins of the American Revolution (Stanford: Stanford University Press, 1959), 321, 481.

¹⁵ Stumpf, "Josiah Martin and His Search for Success: The Road to North Carolina," 78-79.

¹⁶ Joseph Younger Blanks, Jr., The Administration of Governor Josiah Martin in North Carolina M.A. Thesis, University of North Carolina at Chapel Hill, 1948, 150.

¹⁷ Sheridan, 254.

the provincial elite. Martin had already expressed disdain for rebellious colonists early in his military career. During the Stamp Act crisis on the island of Antigua in 1765, Martin commanded a sentry assigned to protect the collection of stamps. Martin's command was insulted and threatened on a daily basis by protesting colonists. Expressing his disgust at this behavior, Martin wrote that Britain "must vigorously assert her sovereignty [*sic*] as resign it to a weak, timid, licentious mob, wished by a few affected Patriots."¹⁸ Three months before taking office as governor, Martin wrote to his brother Samuel about his knowledge of the Regulators stating, "I should despise such a secession of a tumultuous rabble."¹⁹ However, by the end of his backcountry journey fourteen months later, Martin concluded that "in spite of all my endeavors to hold myself impartial... my indignation is not only disarmed but converted to pity."²⁰ Martin's sympathy for former Regulators is acknowledged extensively by historians, yet why he responded in such a manner is absent in existing historical analysis.

Second, why would Martin fault North Carolina's backcountry clerks, officials, and judges for corruption and peddling influence? The buying and selling of positions and political influence were common practices in eighteenth-century British military and civil life. Referred to as "farming out offices," selling

¹⁸ *Ibid.*, 64.

¹⁹ Stumpf, "Josiah Martin and His Search for Success: The Road to North Carolina," 75.

²⁰ "Letter from Governor Martin to Secretary Hillsborough, August 30, 1772," as published in William L. Saunders, ed., The Colonial Records of North Carolina, Volume 9, 1771-1772 (Raleigh: State of North Carolina, 1886-1890), 330, hereafter cited as Colonial Records.

influence was considered an honorable profession.²¹ This practice maintained British aristocratic traditions and perpetuated the belief in British superiority. Martin was no exception to these tenets. For example, while stationed in Canada during the Seven Years War, he observed that the Canadians shared a unique sense of equality, yet he perceived such egalitarianism as a lucrative opportunity for the "Poor Settlers to become the prey of the more opulent & ambitious."²² Martin owed much of his military career advancement to the influence of his father and brother, and his appointment as governor was a direct result of the relationship between his brother Samuel and Lord Hillsborough. Historians have recognized Martin's dramatic efforts at reforming backcountry influence peddling and corruption, yet they fail to explain why he pursued such a course.

More importantly, what transpired during the fifteen weeks that Martin traveled among the backcountry population? What issues and events occurred that forced Martin to respond favorably towards Regulators and other residents in the backcountry? Martin's correspondence has been available for more than two hundred years, yet historians have neglected to explore the detailed events of his journey to understand how and why Martin responded favorably towards a population that had traditionally been ignored by North Carolina's royal government. In his definitive, though dated, examination of colonial government in North Carolina, Charles Raper claimed that Martin "never could understand the

²¹ J.G. de Rouillac Hamilton and Henry McGilbert Wagstaff, eds., "County Government in Colonial North Carolina" as published in The James Sprunt Historical Publications, Volume 12, No. 1 (Chapel Hill: The University, 1912), 33.

²² Stumpf, "Josiah Martin and His Search for Success: The Road to North Carolina," 59.

sentiments and the demands of the people; he could not see or appreciate their point of view."²³ This thesis will demonstrate how Martin, the highest royal authority in the colony, personally addressed the issues and concerns of the people of the North Carolina backcountry, thus stabilizing this volatile region and securing its allegiance to the Crown.

²³ Charles Lee Raper, North Carolina: A Study in English Colonial Government (Spartanburg: The Reprint Company, 1973), originally published by The Macmillan Company, London, 1904, 66.

Chapter 2

The North Carolina Backcountry 1750-1771

Gordon S. Wood described American society during the eighteenth century as a history of “the growth and movement of people.”²⁴ Such a movement of people was witnessed in the settlement of the backcountry, a region of communities extending from western Pennsylvania southward to Georgia. The heart of this backcountry lay in the piedmont region of North Carolina, an open country of rolling hills and grassy meadows situated between the Appalachian mountain range to the west and the sandy coastal plains to the east. Immigrants from northern colonies poured into the piedmont region during the third quarter of the eighteenth century. Earning a reputation for independence and hardiness, these settlers created a diverse society of ethnic, religious, and cultural influence that continues to captivate historians of early America. These settlers played an important role in North Carolina’s development during the eighteenth century.

North Carolina occupied a unique position in colonial America. King Charles II of England chartered Carolina as a proprietary colony in 1663. By 1710, the emergence of distinct northern and southern regions forced the

²⁴ Gordon S. Wood, The Radicalism of the American Revolution (New York: Alfred A. Knopf, 1992), 125.

proprietors to appoint a governor for the northern area, leaving the southern district to develop around the community at Charles Town. Settlement in the northern region centered along the Albemarle River area near the northeastern boundary of North Carolina and Virginia. Prominent Virginia planter William Byrd visited this region in 1690 and described its location by simply stating: "Wee [sic] are att [sic] the end of the world."²⁵ For the transplanted Englishmen who established and prospered with the Chesapeake tobacco market at the end of the seventeenth century, this border country was the end of the world. Little existed west of established port towns to attract settlers. Powerful native tribes, such as the Tuscarora and Arawak, maintained a presence in the region into the second decade of the eighteenth century. Roads hindered overland travel, as they were rarely anything more than worn hunting trails. The terrain was also fraught with swamps, thick pine forests, and dense underbrush. These conditions impeded efforts to settle west of the established coastal plain.

William Byrd II, son of the aforementioned Byrd, provided one of the earliest descriptions of this region. *Histories of the Dividing Line Betwixt North Carolina and Virginia* is a chronological account of the 1728 survey expedition led by Byrd along the North Carolina and Virginia border. This account contains Byrd's observations of the people and events he encountered during this expedition. The Carolina Charter of 1663 established the colony's northern

²⁵ James H. Merrell, The Indians' New World: Catawbas and Their Neighbors from European Contact through the Era of Removal (Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1989), 46.

boundary at thirty-six degrees. Another charter, issued two years later, established the northern boundary approximately thirty miles north of the 1663 boundary. North Carolina had much to gain from this new boundary arrangement. It created access to the Albemarle Sound waterways, a potential port of export for the colony's northeastern tobacco farmers. Furthermore, inhabitants within the thirty-mile region between the two boundaries held land titles issued by Virginia. After the 1665 boundary was identified, these settlers considered themselves residents of North Carolina and refused to pay rents to Virginia authorities. British authorities and the governments of the two colonies hoped the 1728 boundary line expedition would resolve such disputes. Although these hopes were unfulfilled, Byrd's chronicle of the expedition is early evidence of a cultural prejudice towards backcountry settlers that Martin encountered more than forty years later.

Byrd condemned the idleness and lack of industriousness he perceived in North Carolinians. He criticized the quantity of pork that composed the diet of many Carolinians during the eighteenth century. "The Truth of it is the Inhabitants of N Carolina devour so much Swine's flesh, that it fills them full of gross Humours," he wrote contemptuously.²⁶ "The Truth of it is, these people live so much upon Swine's flesh, that ... many of them seem to Grunt rather than Speak in their ordinary conversation."²⁷ Byrd also belittled the religious, social, and

²⁶ William Byrd, Histories of the Dividing Line Betwixt Virginia and North Carolina with Introduction and Notes by Dr. William K. Boyd (Raleigh: Edwards & Broughton Company, 1929), 54.

²⁷ *Ibid.*, 55.

economic practices of those who dwelled in the region. These attitudes were also reflected by wealthy merchants and landowners who comprised North Carolina's proprietary government. Their self-serving and corrupt nature further inhibited interest in the region. Thus, western North Carolina remained largely unsettled by Europeans during the first half of the eighteenth century.

In the early 1740s, a few hundred immigrants migrated to the Yadkin River Valley in the central region of the colony. Many of these settlers arrived from Pennsylvania, Maryland, and Virginia with their families in search of affordable lands and economic opportunity. Among these early settlers were some of less honest character. In 1745, legislation in the Assembly described "Numbers of idle and disorderly Persons, who have no settled Habitation, nor visible Method of Supporting themselves by Industry or Honest Calling...and kill Deer at all Seasons of the Year."²⁸ Many such drifters were attracted to the backcountry due to the lack of restraining legal authorities. The absence of law enforcement in the South Carolina backcountry that attracted so many outlaws led directly to the rise of the Regulator movement in that colony.²⁹ Governor Arthur Dobbs witnessed the rough character of many such settlers when a visit to the region in the 1750s brought him nothing but "insult and abuse" from these "people of desperate

²⁸ Rachel N. Klein, "Ordering the Backcountry: The South Carolina Regulation," William and Mary Quarterly 38 (October 1981) : 669.

²⁹ See Rachel N. Klein, Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808 (Chapel Hill: Published by the University of North Carolina Press for the Institute of Early American History and Culture, 1990).

fortune."³⁰ As late as the Revolution, the North Carolina backcountry was known for such criminal refuge.

Settlement in backcountry North Carolina increased dramatically during the third quarter of the eighteenth century. Thousands of settlers emigrated from northern colonies along the Great Wagon Road, which stretched from western Pennsylvania southward to northern Georgia. These settlers poured into the piedmont region, a 125 mile-wide section of rolling hills, fertile soil, and meandering waterways in the center of the colony. A traveler through the region noted that the absence of good ports and trading towns forced many of these "new settlers back into the country, and thrown them very much into common husbandry."³¹ Poor roads, unnavigable rivers, and few towns in which to trade or conduct government business characterized this region, yet immigrants chose the Piedmont because of affordable lands. Piedmont settlers were commonly referred to as inhabiting the "back counties" or backcountry region of the colony. These backcountry settlers practiced subsistence agriculture on 100- to 400-acre family farms, owned few slaves, and considered themselves planters. However, they did not have the wealth, plantations, or slaves associated with planters along the coastal plain of the colony – the political, social, and economic

³⁰ Merrell, 185.

³¹ Hugh T. Lefler, North Carolina History Told By Contemporaries (Chapel Hill: University of North Carolina Press, 1965), 79; see also John Solomon Otto, "The Migration of Southern Plain Folk: An Interdisciplinary Synthesis," The Journal of Southern History 51 (May 1985) : 183-191.

power base of eighteenth-century North Carolina. As a result, piedmont settlers were isolated from these facets of colonial life.³²

The increase in backcountry settlement is reflected in the population growth of the region. From 1753 to 1769, the colony's taxable population increased from 22,605 to 52,151.³³ A French traveler, journeying through the region in 1765, commented that it "is a fine Country for poor people but not for the rich."³⁴ In 1767, a New England newspaper published a revealing account of North Carolina:

There is scarce any history, either antient [sic] or modern, which affords an account of such a rapid and sudden increase of inhabitants in a back frontier country, as that of North Carolina. To justify the truth of this observation, we need only to inform our readers, that twenty years ago there were not twenty taxable persons within the limits of the above mentioned County of Orange; in which there are now four thousand taxables. The increase of inhabitants, and flourishing state of the other adjoining back counties, are no less surprising and astonishing.³⁵

In 1767, London merchant Joshua Gee observed that "The rich grounds that lie under the Apalachean hills, and through Virginia, &c. are inviting places for raising silk, hemp and flax, the air being accounted healthy and pure; and the country is large enough to canton out into distinct lots all the inhabitants we shall

³² Sheridan, 219, 221.

³³ A "taxable" was a free male inhabitant of North Carolina age sixteen years or above. The addition of women, children, and slaves significantly increased the total population. Historians have used various methods to calculate the total population of the colony since precise population figures for this period (other than taxable lists) are non-existent. However, I have refrained from using such estimates and include only documented information. See Harry Roy Merrens, Colonial North Carolina in the Eighteenth-Century: A Study in Historical Geography (Chapel Hill: University of North Carolina Press, 1964), 218 (fn1), 194-202.

³⁴ "Journal of a French Traveler in the Colonies, 1765, I," American Historical Review 26 (July 1921), 738.

be capable of sending, from whence they will have the convenience of sending all their goods down by navigable rivers."³⁶ A French traveler observed in 1765 that "the lands back of the first mountains, what they Commonly Call the blue ridge, are very rich, they are Inhabited by the scotch Irish, Germans, and Dutch, which were sent thither to Serve as a bariere betwixt the lower settlers and the Indians; this, however, turned out other wise, luckily for the poor wretches, that they were sent there to be butchered."³⁷ In 1767, the backcountry contained thirty-four percent of the white population, eleven percent of the black population, and thirty percent of the total population for the colony.³⁸ By 1769, Irish, German, and Scotch-Irish immigration from northern colonies made North Carolina the fourth most populous colony in British North America.³⁹

Religious toleration was an important attraction for settlers in North Carolina. Although the Society for the Propagation of the Gospel had financed Anglican missionary efforts in North Carolina since the seventeenth century, the Carolina Charter of 1663 encouraged toleration of non-Anglican sects. The presence of Irish, German, and Scotch-Irish settlers in the backcountry with their own style of Protestantism created a religious diversity that prevented ascendancy of the Crown-supported Anglican faith. As with other British colonies

³⁵ Merrens, 54.

³⁶ Lefler, 78.

³⁷ "Journal of a French Traveler in the Colonies, 1765, I," 737.

³⁸ Marvin L. Michael Kay, "The Payment of Provincial and Local Taxes in North Carolina, 1748-1771," William and Mary Quarterly 26 (April 1969) : 229.

³⁹ Wood, 126.

in North America, however, North Carolina was not immune from minor religious discord.

Anglican missionaries consistently bewailed the spiritual degradation of Carolinians. One missionary decried that the colony would "soon be overrun with Quakerism and infidelity" if Anglican missionaries and schoolmasters were not sent quickly to the colony.⁴⁰ Itinerant Anglican missionary Charles Woodmason published perhaps the most famous account of religious dissension in backcountry North Carolina. "As to North Carolina," wrote Woodmason, "the State of Religion therein, is greatly to be lamented – If it can be said, That there is any Religion, or a Religious person in it."⁴¹ Anglican clergy were known for their own spiritual degradation as well. In a letter to the secretary of the Society for the Propagation of the Gospel, Anglican minister C.E. Taylor confessed that his missionary position became available only because his predecessor "fled into Virginia, being charged with crimes, too base to be mentioned."⁴² Taylor further lamented that some Anglican clergy were "the greatest scandal to religion we have."⁴³

⁴⁰ Stephen Jay White, "From the Vestry Act to Cary's Rebellion: North Carolina Quakers and Colonial Politics," The Southern Friend: A Journal of the North Carolina Friends Historical Society 8 (1986), 5-8.

⁴¹ Hooker, Richard J., ed., The Carolina Backcountry on the eve of the Revolution: the Journal and other writings of Charles Woodmason, Anglican itinerant (Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1953), 76.

⁴² "Rev. Mr. Taylor to the Secretary, August 20, 1771," Colonial Records, vol. 9, 21.

⁴³ Ibid.

Numerous brands of Protestantism drifted into the backcountry to establish congregations. New Light, or Separate Baptists, arrived from Connecticut in 1754 and six years later claimed seven new churches in the Orange County area alone. An observer noted, however, that "the most illiterate" among the Separates "are their Teachers."⁴⁴ Irish and Scotch-Irish immigrants brought their own styles of Presbyterianism and Calvinism. Germans in the backcountry subscribed to various Lutheran, Anabaptist, Dunker, and Reformed Lutheran churches. These groups also brought their own folklore traditions that further enhanced backcountry religious culture. Perhaps no other group in the backcountry valued the colony's religious toleration more than the Moravians, a Protestant sect which traced its origins to the martyrdom of John Hus in the fifteenth century and the Reformation movements of Swabia, Moravia, and Czechoslovakia in the sixteenth century.

Moravians first settled in America around 1710 near the town of Bethlehem, Pennsylvania. Led by the austere Bishop August Spangenberg, Moravians purchased land from John Carteret, Earl of Granville, the grandson of the original Carolina proprietor who did not sell his lands to the British Crown with the other seven proprietors in 1729. The Moravians purchased 100,000 acres in nineteen separate deeds, preferring to pay the extra legal transaction fees to insure that the whole tract would not be lost if only one area defaulted on its fee

⁴⁴ Klein, Unification of a Slave State, 43-44.

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payment. This region was known as the Wachovia tract and construction began on the first village of Bethabara in 1752.

Bishop Spangenberg's observations provide insight into the absolute remoteness of the North Carolina backcountry during the early years of settlement. The nearest blacksmith was sixty miles away, the only available gristmill was twenty-five-miles away, and there was no store in the community from which to purchase manufactured goods.⁴⁵ Furthermore, Moravian neighbors "are poor...and one can get nothing but corn from them."⁴⁶ Because of their pious behavior, pacifist beliefs, and communal practices, the Moravians labored vigorously to prevent conflict with other backcountry settlers. Moravians went out of their way to accommodate outside infringements and demonstrate loyalty to the colony's royal authorities. Their reputation for honesty and their proficiency at raising a variety of crops helped establish a foundation for backcountry society.

The geography of North Carolina hindered dynamic economic development. The colony was not a major exporter of raw or manufactured goods during the eighteenth century. The colony did, however, produce minor manufactured goods such as barrel staves, shingles, and lumber. The abundance of accessible long-leaf pine trees along the Neuse, Cape Fear, and Pamlico Rivers provided wood products much in demand during the eighteenth century. Shipbuilding materials such as mast poles, planks, tar, and pitch

⁴⁵ Daniel B. Thorp, "Moravian Colonization of Wachovia: 1753-1772: The Maintenance of Community in Late Colonial North Carolina" (Ph.D. diss., The Johns Hopkins University, 1982), 359, 380.

⁴⁶ Ibid.

composed the bulk of North Carolina's exports, reaching 130,000 barrels of naval stores shipped in 1775 alone.⁴⁷

Deerskins were a prominent commodity emanating from the backcountry during the early years of settlement. Hunters and traders, prevalent in the region through the 1750s, provided much of this trade, as did many native tribes. King George's War (1744-1748) had an impact on the deerskin trade as the annual exportation of deerskins decreased by more than 100 hogsheads from 1746 through 1749. Both Carolina governments heavily subsidized the Catawbas during this period to protect them from traditional enemies such as the Iroquois and Chickasaw.⁴⁸ In exchange, the colonists were assured they would remain peaceful. The Catawbas maintained a presence in the backcountry during the settlement years and many occasionally traveled toward the coastal plain. As late as 1762, Governor Arthur Dobbs complained that the Catawbas "hunt down to the Sea coast."⁴⁹

North Carolina never developed a successful internal trade between the backcountry and seaboard communities. It was less difficult and more profitable to transport surplus crops, deerskins, pottery, and other items overland to Charles Town than to North Carolina's own port towns of Wilmington, Brunswick, and Edenton. Merchants in Charles Town maintained a variety of imported goods from Europe highly desired by backcountry settlers. Manufactured goods such as

⁴⁷ Justin Williams, "English Mercantilism and Carolina Naval Stores," Journal of Southern History 1 (May 1935) : 176.

⁴⁸ Norman W. Caldwell, "The Southern Frontier During King George's War," Journal of Southern History 7 (February 1941) : 45-46.

tinware, clothing, gunpowder, sugar, and tea filtered their way into the backcountry through merchants located in Cross Creek, Hillsborough, Salisbury, and Salem.⁵⁰ Daniel B. Thorp's study of Rowan County, one of the largest counties in the backcountry, suggests that based on material commodities, the region was approaching economic prosperity of older established regions by the outbreak of the Revolution.⁵¹ Furthermore, the industriousness of Moravian merchants and artisans greatly stimulated the economy of the region. North Carolina's economy at the onset of the Revolution has been described as two concentric economic zones: a coastal plain that exported rice, indigo, and salt meat to Europe and an upper coastal plain which raised and transported indigo and livestock to coastal ports for export.⁵²

The ethnic, religious, and cultural diversity of backcountry North Carolina gave the colony a unique position in eighteenth-century British North America. The robust and independent character of backcountry settlers was tested in more areas than just the ability to carve out an existence from the rolling hills and pine forests of the piedmont region. The historical "growth and movement of people" identified by Gordon S. Wood and manifested by the settlement of backcountry North Carolina would create even greater challenges. The dramatic flood of

⁴⁹ Merrell, 129.

⁵⁰ Daniel B. Thorp, "Doing Business in the Backcountry: Retail Trade in Colonial Rowan County, North Carolina," William and Mary Quarterly XLVIII (July 1991) : 400-402. See also Thorp's "Taverns and Tavern Culture on the Southern Colonial Frontier: Rowan County, North Carolina, 1753-1776," Journal of Southern History LXII (November 1996) : 661-688.

⁵¹ Thorp, "Doing Business in the Backcountry: Retail Trade in Colonial Rowan County, North Carolina," 387-408. See also Thorp's "Taverns and Tavern Culture on the Southern Colonial Frontier: Rowan County, North Carolina, 1753-1776," 661-688.

immigrants into the North Carolina backcountry during the mid 1760s brought lucrative opportunities for individuals with questionable motives and a penchant for corruption.

⁵² See John Solomon Otto, The Southern Frontiers 1607-1880: The Agricultural Evolution of the Colonial and Antebellum South (New York: Greenwood Press, 1989), 44.

Chapter 3

The Regulator Movement 1768-1771

Prolific immigration at mid-century in North Carolina brought sweeping changes to backcountry society. The influx of settlers brought a demand for improved local government, which provided lucrative opportunity for attorneys, clerks, sheriffs, and other local officials. Whereas backcountry planters dominated official positions during the 1750s, lawyers and merchants became the principal office holders during the 1760s.⁵³ Local government soon became a tool of sheriffs, attorneys, merchants, and professional clerks who established a network of influence impenetrable to local planters. This transition created hostility that intensified regional instability. The growing number of cases of corruption and abuse by officials alarmed backcountry residents who "were defrauded by the clerks of the several courts, by the recorders of deeds, by entry takers, by surveyors, and by the lawyers, every man demanding twice or three times his legal fees."⁵⁴ As one historian observed: "It was a harvest time in general for county officials - a time for court-house rings and court-house

⁵³ James P. Whittenburg, "Planters, Merchants, and Lawyers: Social Change and the Origins of the North Carolina Regulation," William and Mary Quarterly 34 (April 1977) : 234.

⁵⁴ Williamson, 129.

cliques."⁵⁵ However, governmental corruption was an inherent aspect of politics in North Carolina and an endless challenge for royal officials.

Gabriel Johnston held the longest tenure as governor of North Carolina (1734-1753) and complained bitterly about corruption among provincial officials. According to Johnston, their lack of integrity was "sufficient to bring all Magistracy and Government into contempt and ridicule."⁵⁶ In 1755, Governor Arthur Dobbs (1755-1764) informed the Assembly that "it is become too much a Practice in this Province that those who are intrusted in the collecting or laying out of Publick [sic] Money keep it in their hands and lay it out for their benefit."⁵⁷ Corruption among North Carolina's officials was apparent to other colonies as well. Albert Tillson, in his study of the Virginia backcountry, uses North Carolina as a benchmark of corruption when discussing Virginia's social relations. "Unlike the situation in western North Carolina," writes Tillson, "local leaders also possessed the economic and moral standing needed to obtain the respect of the common people."⁵⁸ However, public officers also had to serve among some of the roughest elements in the colonial population. After a visit to the boundary line region of North and South Carolina, an area known for its unruly inhabitants, Governor Arthur Dobbs warned, "No officer of Justice from either Province dare

⁵⁵ Hamilton and Wagstaff, 33.

⁵⁶ Wood, 118.

⁵⁷ Marvin L. Michael Kay, "Provincial Taxes in North Carolina During the Administrations of Dobbs and Tryon," North Carolina Historical Review XLII (1965) : 446.

⁵⁸ Albert H., Tillson, Jr., Gentry and Common Folk: Political Culture on a Virginia Frontier, 1740-1789 (Lexington: University Press of Kentucky, 1991), 64.

meddle with them."⁵⁹ Nevertheless, the growing outcry against corruption by backcountry planters further highlighted the disparity between North Carolina's established coastal society and emerging backcountry communities.

Tax collection was a major source of grievance for backcountry residents. The Piedmont region, which consisted of the backcountry counties of Anson, Rowan, Orange, and Mecklenburg, contained less than twenty percent of the taxable population, yet more than forty percent of the taxes they paid were unaccounted for in 1770.⁶⁰ This was the result of extensive corruption in the office of sheriff throughout the colony.⁶¹ The sheriff was the primary collector of taxes at the county level in North Carolina and received an eight-percent commission on collected taxes.⁶² Many sheriffs left the colony or embezzled public funds after making their collection rounds through backcountry counties. Anglican missionary Theodorus Draige was an eyewitness to these practices:

The Sheriffs would declare the Tax to be more than it was and accordingly collect it which when discovered by the People, two Shillings a head extra, for it is a Pole [poll] Tax, [the sheriff] would tell them to come to Town themselves and bring their receipts [and] they would pay them, [this forced the people to travel] forty sixty, or a hundred miles for two Shillings, by this means the Sherrieff [sic] kept most of what he had.⁶³

⁵⁹ Merrell, 185.

⁶⁰ Daniel Frederick Blower. "The Orange County and Mecklenberg County Instructions: The Development of Political Individualism in Backcountry North Carolina, 1740-1776" (Ph.D. diss., University of Michigan, 1984), 443.

⁶¹ See Alan D. Watson "The Constable in Colonial North Carolina," North Carolina Historical Review 68 : 1-16; "County Fiscal Policy in Colonial North Carolina," North Carolina Historical Review 55 (1978) : 284-305.

⁶² Kay, "Provincial Taxes in North Carolina During the Administrations of Dobbs and Tryon," 442.

⁶³ Ibid.

Tryon concluded that the colony's treasurers failed to manage revenue collecting by sheriffs. As a result, "the Sheriffs have embezzled more than one half of the publick money ordered to be raised and collected by them."⁶⁴

Settlers also encountered financial manipulation when they paid fees for court filings and other legal documentation. The law required that transactions over forty shillings had to be collected and registered in court records. This created a booming business for courthouse clerks who charged whimsical fees for their services. Often, a backcountry resident paid more for the legal recording of their transaction than the actual amount transacted. In one case, the cost of legally recording the transaction was fourteen times the amount of the original transaction.⁶⁵

Representation in the Assembly was another common complaint for backcountry residents as evidenced by statistics from the period. During the late 1760s, the backcountry counties of Rowan and Orange contained a population of more than 6,400 residents yet were represented by only four seats in the Assembly. In contrast, five counties located along the eastern seaboard had a combined population of only 2,362 inhabitants yet were represented by twenty-five seats in the Assembly.⁶⁶ This disproportionate representation perpetuated entrenched power structures and solidified backcountry frustration.

⁶⁴ Ibid., 448.

⁶⁵ Hamilton and Wagstaff, 34.

⁶⁶ Morehead, 20-21.

The increase in lawsuits brought by merchants and attorneys against established planters reveals a major source of enmity between the two groups. From 1753 to 1762, 681 lawsuits were brought before justices in Orange County. In the next three years alone, 841 lawsuits were brought before the justices with one-third of these cases sponsored by attorneys and merchants.⁶⁷ Planters claimed that "so great is the Lawyer's Art that he would Wire-draw Treason from the most sacred Truth and make a Libel of the Lord's Prayer."⁶⁸ Henry Eustace McCulloch, one of the more prosperous attorneys and landholders in the backcountry, considered planters nothing more than a "pack of Unmannerly Sons of Bitches."⁶⁹ Faced with such an environment, backcountry planters had little recourse but to organize and attempt to end such practices.

The roots of the Regulator movement are traced to a raid at the New Hanover County jail in the late 1750s. Several disgruntled inhabitants sought to liberate a fellow settler arrested for petty tax evasion. In 1762, the Sandy Creek Association was formed to curb fraud and excessive taxation as practiced by backcountry officials. Planters united under the title of Regulators in 1768 determined not to pay any taxes except those prescribed by law, and sought redress by petitioning the Assembly and Governor Tryon. Because of a series of

⁶⁷ Whittenburg, 232.

⁶⁸ Ibid., 236.

⁶⁹ Ibid., 233.

neglected petitions, shallow promises, and outright hostility to their objectives, Regulators increasingly relied on violence to convey their message.⁷⁰

Leading this assemblage of backcountry settlers was Herman Husbands, a native of Maryland and former Quaker whose life in North Carolina led to continual encounters with legal authorities in the backcountry. In many ways, Husbands was the philosophical leader of the Regulators. He articulated the movement's objectives in such works as *A Fan for Fanning* (1771), a satirical treatise that lambasted Edmund Fanning, a backcountry lawyer, multiple office holder, and epitome of all that the Regulators despised about backcountry officials. Among the many Regulators who would later be excepted from various acts of clemency, Husbands bore the distinction of being the only Regulator excepted from every pardon list.

The incident that brought the Regulators to the forefront of North Carolina politics occurred in April 1768. Several hundred Regulators descended upon the backcountry town of Hillsborough, the seat of Orange County, the largest county in the backcountry. Regulators turned out to retrieve a member's horse they claimed had been taken illegally by the local sheriff in lieu of the owner paying taxes. The arrival of several hundred armed and angry Regulators alarmed local

⁷⁰ The historiography of the Regulator Movement is quite thorough. The following works are considered the standard texts in this scholarship: George R. Adams, "The Carolina Regulators: A Note on Changing Interpretations," North Carolina Historical Review XLIX (October 1972) : 345-352; John S. Bassett, "The Regulators of North Carolina, 1765-1771," in Annual Report of the American Historical Association for 1894 (Washington, D.C.: American Historical Association, 1895), 141-212; Andrew C. Denson, "Diversity, Religion, and the North Carolina Regulators," North Carolina Historical Review 72 (1995) : 30-53; and Alan D. Watson, "The Origin of the Regulation in North Carolina," Mississippi Quarterly 47 (1994) : 567-598.

officials who pleaded with Governor Tryon for support. Tryon offered militia support should such drastic action be necessary. However, local officials returned the horse in question and a riot was averted. The incident introduced two important components of Regulator activity to the authorities: determination and propensity for violence. Unfortunately, neither party learned from this incident and resolution efforts deteriorated beyond repair.

Regulators openly defied and threatened local officials when performing their duties. At the court sessions in Hillsborough in September 1770, Regulators arrived armed with guns, whips, clubs, and switches. They assaulted Judge Richard Henderson, dragged and beat attorney Edmund Fanning, and damaged property throughout the town. Regulators even tore down Fanning's house after destroying his furniture and consuming his stock of liquor.⁷¹ In a letter to Governor Tryon, Judge Henderson described the Regulator assault:

When they had fully glutted their revenge on the lawyers,...to show their opinion of the courts of justice they took from his chains a negro that had been executed some time, and placed him at the lawyer's bar, and filled the Judge's seat with human excrement, in derision and contempt of the characters that filled those respectable places.⁷²

Resistance to paying taxes, threats against officials, and minor acts of violence continued throughout the backcountry. A few months after the court riot, Judge Henderson's stables, corncrib, and house were burned to the ground by a

⁷¹ Lefler, 91-93.

⁷² Whittenburg, 237.

suspicious fire.⁷³ By early 1771, Regulator activity reached a fever pitch and backcountry officials had been terrorized into submission.

Governor Tryon organized and led the colony's militia towards the backcountry counties to suppress the Regulators. On May 16th, Tryon confronted nearly 2,000 Regulators near Alamance Creek. After a two-hour exchange of gunfire, nearly two dozen Regulators and militia lay dead and several more were wounded. Tryon captured several prisoners and immediately executed one of them as a show of intimidation. Several hundred remaining Regulators took advantage of Tryon's leniency proclamation issued the day after the battle and returned to their homes in the backcountry; others moved west into the Appalachian region to avoid further conflicts with governing authorities.

The defeat of the Regulators at the Battle of Alamance in May 1771 officially ended the movement. Despite their military defeat, the Regulators raised significant attention to the problem of corruption among backcountry officials. Although provincial administrators disagreed with Regulator tactics, they could not deny the accuracy of their grievances. However, the provincial elite failed in their assessment of the Regulators. They considered the Regulators lawless rabble that sought to overthrow the King's authority in North Carolina, but the Regulators sought only to end the rampant corruption and extortion that plagued their communities. They believed such practices violated their inherent rights as Englishmen and as subjects of the British Crown. Lacking any considerable

⁷³ "Council Journals, November 19, 1770," Colonial Records, vol. 8, 258.

representation in the Assembly, the Regulators were limited in their methods of redress. Thus, petitions, civil disobedience, organized demonstrations, and violence were the only means at their disposal. The failure of provincial authorities to understand Regulator motives exemplified the social, cultural, and political separation between North Carolina's established coastal society and emerging backcountry communities.

Tryon had received orders prior to his expedition against the Regulators assigning him a new position as governor of New York. The people of North Carolina had learned of this change in the spring of 1771. A notice published in the *Virginia Gazette* in March of that year stated that Tryon was to be transferred to New York, "and that Lieutenant Colonel Josiah Martin, of Long Island" was appointed Governor of North Carolina.⁷⁴ A few lines below this notice, the *Virginia Gazette* announced that a grand jury in North Carolina had issued sixty-one bills of indictment against "a Number of unthinking and deluded People" known as Regulators.⁷⁵ Ironically, fate was already linking Martin and the Regulators before the thirty-three year old Irish native ever set foot on Carolina soil.

⁷⁴ *Virginia Gazette*, No. 1026, March 28, 1771, Page 2, Column 3.

Chapter 4

Martin's First Year in Office

Martin arrived in North Carolina only three months after the Regulator defeat at the Battle of Alamance. The colony was still reeling from the effects of Tryon's expedition. Not only did Martin encounter problems immediately caused by this campaign, he also encountered governing officials with unsympathetic attitudes toward Regulators and backcountry inhabitants, a reflection of the cultural prejudice prevalent among the provincial elite. These individuals had neglected Regulator grievances and actively opposed backcountry initiatives for years. Tryon's victory at Alamance was really a victory for them and they wasted no time in expressing this realization. Martin's unfamiliarity with leading personalities, political insiders, and provincial issues, as well as his inexperience with the colony's governing processes, further challenged his first months in office. As with any new royal governor in the colonies, Martin had to prove himself to the people. In North Carolina, however, the colony was clearly divided between the victorious coastal establishment and the vanquished people of the backcountry. It would take insight and impartiality to draw these two sides together, and the new governor had yet to demonstrate these qualities.

⁷⁵ *Virginia Gazette*, No. 1026, March 28, 1771, Page 2, Column 3.

Governor Tryon departed North Carolina for New York within days of returning from his expedition against the Regulators in June 1771. Tryon had been more successful than any of his predecessors in establishing cordial and productive relationships with North Carolina's ruling authorities during his six years in office. His departure was greatly lamented by provincial leaders. James Hasell, President of the Executive Council and interim Governor, wrote that "No Governor ever departed from a people more loyal and affectionately attached to him or his Administration nor more justly lamented."⁷⁶

Martin arrived with his family in North Carolina on August 11, 1771, after a nineteen-day voyage from New York. He had been delayed in New York because of a fistula and had four operations within only five months.⁷⁷ The day after his arrival Martin was administered the oath of office and moved into the luxurious accommodations of the governor's palace in New Bern. At the time of his arrival, a rumor circulated among the backcountry that Martin had landed with 200 British soldiers to be used against the Regulators.⁷⁸ Prominent North Carolinians heard positive reports about Martin. Assemblymen Samuel Johnston wrote to a friend regarding Martin that "we hear a very amiable character of him."⁷⁹ The most pressing issue facing Martin upon his arrival in the colony was the aftermath of the Regulator defeat.

⁷⁶ "Letter from James Hasell to Lord Hillsborough," Colonial Records, vol. 9, 9.

⁷⁷ Stumpf, "Josiah Martin and His Search for Success," 73.

⁷⁸ William S. Powell, et al., eds., The Regulators in North Carolina: A Documentary History, 1759-1776 (Raleigh: State Department of Archives and History, 1971), 308, hereafter cited as The Regulators in North Carolina.

⁷⁹ *Ibid.*, 476.

Tryon's military expedition against the Regulators traumatized backcountry residents. The failure to achieve redress and the heavy praise provincial officials thrust upon Tryon only deepened existing wounds, further reminding participants in the Regulator Movement of their political and social isolation. More than 6,400 settlers involved in the Movement had taken advantage of six proclamations issued by Tryon that offered pardon in exchange for an oath of allegiance to the government and surrender of their firearms. For some Regulators, however, defeat was too much to bear. By the end of 1771, approximately 1,500 former Regulators had moved further west to new lands in hopes of starting over.⁸⁰

Settlers not actively involved in Regulator protests endured the hardship of supplying material provisions to Tryon's militia as they marched through backcountry counties, villages, and settlements. The majority of backcountry settlers practiced subsistence agriculture without many commercial endeavors. Surplus goods were simply traded among neighbors or sold for export. However, supplying the roughly 2,000 militia who composed Tryon's expedition proved a formidable challenge for backcountry planters. Furthermore, the province had suffered considerable drought conditions during this period, resulting in poor harvests in 1771 and 1772. Thus, limited food supplies were further impacted by demands of a campaigning army whose members encountered their own set of problems in the Regulator aftermath.

⁸⁰ Ibid., xxvi.

Soldiers wounded during the campaign were unable to support their families. Among the most desperate were widows of men killed or missing during the campaign. Martin received numerous petitions for financial relief from soldiers wounded during Tryon's expedition or from widows seeking financial assistance.⁸¹ For those in the militia who returned to their homes uninjured, the threat of legal prosecution loomed over their heads, as there were no precedents to prevent lawsuits by citizens whose property was damaged.

Martin first expressed his knowledge of the Regulators in a letter written to his brother Samuel in May 1771:

All I can learn of this commotion is that the Inhabitants of Two Counties, under the influence of & at the instigation of four or five factions, artfull & designing villains, refuse to comply with the assessments of law upon pocket, that the oppressive exactions of the Publick officers are unpunishable & on this ground they oppose the execution of all law; - Thus by violence enjoy an exemption from taxes.⁸²

Martin's views towards the Regulators were influenced by reports he received prior to his arrival in North Carolina and subsequently, by opinions expressed by provincial officials. While preparing to depart from New York in July, Martin met with the newly arrived Tryon and discussed the situation in North Carolina. Tryon assured Martin of the "peacefull [sic] state of this Country."⁸³ Martin considered his discussions with Tryon informative, though limited, as Tryon was busy

⁸¹ See "Council Journals, November 21, 1771," Colonial Records, vol. 9, 54-55, 60, 62-63, 63-64, 92-93.

⁸² Stumpf, "Josiah Martin and His Search for Success," 75.

⁸³ "Josiah Martin to Lord Hillsborough, August 15, 1771," The Regulators in North Carolina, 504.

preparing for his new assignment. Thus, Martin's first official briefing as governor came from the individual most responsible for opposing the Regulator Movement.

Martin was welcomed to his new assignment by administrators who shared Tryon's critical assessment of backcountry Regulators. These assemblymen, council members, and bureaucrats championed Tryon's military response to Regulator outrages. Hasell referred to the Regulators as "those detestable Rebels."⁸⁴ Martin's immediate superior, Lord Hillsborough, initially encouraged him to pursue "the same Measures which have gained so much credit to your Predecessor [sic]."⁸⁵ These administrators also believed that settlers involved in Regulator activities were not serious adherents to Regulator tenets, but merely deluded by the craftiness of Regulator leaders. Tryon's correspondence during the Regulator years reflects this belief.

When he learned that settlers had mobilized and rioted in Hillsborough under the guise of Regulators in 1768, Tryon responded with disbelief:

Is it possible that the same men, who I received with so much Pride and happiness last year, and whose good behaviour, order & appearance has been the frequent subject of my reflection and conversation since, should now be loaded with opprobrious Titles of Insurgents and Violators of the Public Peace?⁸⁶

In his opening speech to the Assembly in December 1770, Tryon lobbied for a military solution to Regulator violence by describing them as "these deluded

⁸⁴ "Letter from James Hasell to Lord Hillsborough," Colonial Records, vol. 9, 9.

⁸⁵ "Letter from Lord Hillsborough to Josiah Martin," Colonial Records, vol. 9, 1.

⁸⁶ "Letter from Governor Tryon to Colonel Edmund Fanning, April 27, 1768," Colonial Records, vol. 7, 19.

people, and their seditious Ringleaders."⁸⁷ Upon Tryon's return from the backcountry, Hasell informed Lord Hillsborough that the Regulators were now "thoroughly convinced of their having been deceived and imposed on by the seduction of a few Turbulent villains who had formed a distracted scheme."⁸⁸ These attitudes influenced Martin and were reflected in correspondence written prior to his visit to the backcountry. Phrases such as "deluded people" and "Ringleader in Sedition" were sprinkled throughout letters written during the early months of his administration.⁸⁹ Even Lord Hillsborough entertained conspiratorial thoughts towards American colonists.⁹⁰

Despite the negative criticism hurled at Regulators, however, Martin had no interest in drawing the sword like Tryon. He desired to resolve existing problems and progress beyond discontent as a means "conducive to the healing of the people's minds."⁹¹ On one occasion, for example, the Council and Assembly memorialized Tryon's military success and praised those martial qualities in Martin. However, the new governor replied that he hoped "the Veil of Oblivion may be drawn over the past unhappy troubles, and all the animosities

⁸⁷ "Legislative Journals, December 5, 1770," Colonial Records, vol. 8, 285.

⁸⁸ "James Hasell to Lord Hillsborough, August 9, 1771," Colonial Records, vol. 9, 19.

⁸⁹ See "Governor Josiah Martin to Earl of Hillsborough, October 18, 1772," K.G. Davies, ed., Documents of the American Revolution 1770-1783 Colonial Office Series, vol. 3, (Shannon: Irish University Press, 1973), 211, and "Governor Martin to Secretary Hillsborough, March 8, 1772," Colonial Records, vol. 9, 269.

⁹⁰ See Ira Gruber, "The American Revolution as a Conspiracy: The British View," William and Mary Quarterly 26 (July 1969), 365-366.

⁹¹ "Josiah Martin to Lord Hillsborough, August 15, 1771," Colonial Records, vol. 9, 19.

and distractions which they created."⁹² His first official actions as governor reflected this conciliatory tone.

Ten days after taking the oath of office, Martin issued two proclamations that addressed issues at the core of Regulator grievances. The first proclamation warned public officers against demanding fees in excess of what had been established by law. Officials accused of such fraud would be removed from office and "prosecuted with the utmost Severity of the Law."⁹³ The second proclamation demanded public officers to post their service fees for public viewing at their respective offices. Thus, settlers would know the correct fee for filing court documents, prosecuting debts, registering land deeds, or performing other legal transactions before such a service was performed. Public officers were required to prove compliance to this requirement or "answer the contrary at their Peril."⁹⁴

For those administrators who were unfamiliar with Martin, these proclamations manifested the seriousness with which he embarked upon his new responsibilities. His actions during his first few months in office reveal a determination to resolve the issues that faced his administration in the aftermath of the Regulator Movement. Martin encouraged the passage of a bill that entitled wounded and crippled veterans to an annual payment of ten pounds sterling. Martin also supported legislation that protected veterans from "vexatious suits

⁹² "Legislative Journals, November 19, 1771," Colonial Records, vol. 9, 102.

⁹³ Virginia Gazette, No. 1059, November 14, 1771, Page 1, Column 3.

⁹⁴ Ibid.

and Prosecutions" resulting from their service in support of government.⁹⁵

However, outlawed Regulators continued to dominate backcountry affairs.

Martin confronted two separate groups of outlawed Regulators. One group consisted of six Regulators captured at the Battle of Alamance who were sentenced to death for treason in a special court in June 1771. These men received a reprieve from Tryon while six of their unfortunate comrades were executed. Martin recommended that these six condemned men be pardoned "hoping that the examples already made will be sufficient."⁹⁶ The other group was composed of several dozen Regulators who were among the most outspoken leaders of the Movement. These Regulators were deemed outlaws under the Johnston Riot Act due to their failure to appear at court to answer charges for their participation in the Hillsborough Riot of September 1770.

The Johnson Riot Act reflects the lengths to which provincial officials went to quell Regulator violence. Representative Samuel Johnston presented the legislation to the Assembly in December 1770 in response to outrages committed by Regulators at the Hillsborough court sessions in September that year. The act declared that any offender indicted by a magistrate must appear within sixty days of the posting of the indictment to answer charges or consequently be deemed an outlaw subject to death at the hands of any citizen. As drastic as it seemed, it

⁹⁵ "Legislative Journals, November 19, 1771," Colonial Records, vol. 9, 130-131, 135.

⁹⁶ "Governor Josiah Martin to Earl of Hillsborough, October 18, 1772," Documents of the American Revolution, 211. These reprieved men were James Stewart, James Emmerson, William Brown, Forester Mercer, James Copeland, and Harmon Cox. Tryon also recommended pardon to Lord Hillsborough in December 1771. See "William Tryon to Lord Hillsborough, Ft. George, New York, December 14, 1771," The Regulators in North Carolina, 533-534.

was considered necessary by many of North Carolina's legal professionals. Prominent attorney James Iredell, for example, concluded that "desperate diseases must have desperate Remedies."⁹⁷ However, it was not considered necessary by the King's Counsel at Law who recommended policy decisions to the King. The King's Counsel concluded that the Johnson Riot Act "is altogether unfit for any part of the British Empire."⁹⁸ Nevertheless, sixty-one indictments were issued against Regulators under this legislation.

Many of these outlawed Regulators petitioned Martin for pardon months before his journey. Many of these Regulators lived in the backcountry county of Guilford. Interestingly, several of the outlawed Regulators claimed their involvement in the movement was the result of having been deluded by outspoken men. This claim reinforced the views expressed to Martin by provincial officials. For example, Thomas Welborn, a man "upright in his Generation," was drawn into the Movement "By the means of Leading and designing Persons."⁹⁹ Ninian Bell Hamilton and Jeremiah Fields were "unhappily Deluded" as they joined "with other misguided men."¹⁰⁰ William Butler confessed "to the great grief of myself...it is with the utmost abhorance [*sic*] that I reflect on the proceedings of

⁹⁷ "Letter from James Iredell to John Harvey, Esq., December 21, 1770," Colonial Records, vol. 8, 270.

⁹⁸ "Hillsborough, Soame Jenyns, John Roberts, Bamber Gascoyne, Greville, W. Joliffe to George III, February 26, 1772," Colonial Records, vol. 9, 249.

⁹⁹ "Petition of Orange and Guilford Counties, North Carolina, August 25, 1771," Colonial Records, vol. 9, 25-26.

¹⁰⁰ "Petition, Friends of Ninian Hamilton to Martin, n.d.," Colonial Records, vol. 9, 39; "Petition, Jeremiah Fields to Martin, October 25, 1771," Colonial Records, vol. 9, 40.

the people formerly called Regulators."¹⁰¹ Friends of James Hunter pleaded for his pardon because they had "observed a spirit of Leantry [sic] and tender compassion in him above any of the Rest."¹⁰² Thus, based on views expressed to Martin by provincial officials and petitions submitted by Regulators themselves, Martin was strongly persuaded that any resolution to Regulator issues would be wrought through its outspoken leaders.

Problems continued in the backcountry. Arson was suspected in a fire that destroyed the stillhouse of John McGee, a backcountry official who lived in Guilford County. McGee's barn and stable had been burned several months earlier. Horses belonging to associate justices and attorneys were stabbed during court sessions. The *Virginia Gazette* attributed the violence to "some of the desperate Outlaws."¹⁰³ The sheriff in Guilford County complained to Martin that he faced opposition when performing his duties.¹⁰⁴ Martin related these events to Lord Hillsborough, observing that people in the backcountry "whose discontents not yet altogether subsided have lately appeared in private injuries."¹⁰⁵ However, one event in the backcountry seems to have given Martin the idea to journey to the backcountry.

James Hunter, the "general" of the Regulators, defiantly appeared while in a state of outlawry at a Guilford County court session in February 1772 but was

¹⁰¹ "Petition, William Butler to Martin, n.d.," *Colonial Records*, vol. 9, 99.

¹⁰² "Petition, Friends of James Hunter to Martin, n.d.," *Colonial Records*, vol. 9, 86.

¹⁰³ *Virginia Gazette*, June 25, 1772, No. 1091, p. 3 col. 1.

¹⁰⁴ "Governor Josiah Martin to Earl of Hillsborough, October 18, 1772," *Documents of the American Revolution*, 211.

¹⁰⁵ "Governor Martin to Secretary Hillsborough, April 12, 1772," *Colonial Records*, vol. 9, 279.

not arrested by magistrates. Hunter's appearance raised questions as to the status of defeated Regulators – an issue believed to have been resolved with their overwhelming defeat at the Battle of Alamance. Ironically, the Assembly had recently expressed an interest in pardoning Hunter.¹⁰⁶ Martin's "indignation" was "exceedingly moved" at the arrogance of Hunter, "a most egregious offender" and "a Ringleader in Sedition."¹⁰⁷ Not only did this episode raise the question of how to deal with outlawed Regulators who had previously submitted petitions requesting pardon, but it also brought into question the authority of local magistrates. Martin believed the failure to retain Hunter revealed "a conduct of such tergitude in those ministers of the Law as seems to me at present to deserve the severest censure and reprehension."¹⁰⁸ He had received a report months earlier that claimed justices and officials in Guilford County were "odious to the people who have so long lived in a lawless state."¹⁰⁹ Had local officials failed to apprehend Hunter because of fear or complacency? Justices had already failed to show up for court in nearby Tyrrell County.¹¹⁰ Furthermore, it had been six months since Martin issued his proclamation ordering backcountry officials to post their fees for public viewing, yet only eight of thirty-four county clerks had complied.¹¹¹ Based on these events, Martin decided to visit the backcountry to "make myself more intimately acquainted with Characters that I

¹⁰⁶ "Governor Martin to Secretary Hillsborough, March 8, 1772," Colonial Records, vol. 9, 269.

¹⁰⁷ *Ibid.*, 268, 269.

¹⁰⁸ *Ibid.*, 268.

¹⁰⁹ "Governor Josiah Martin to Earl of Hillsborough, October 18, 1772," Documents of the American Revolution, 211.

¹¹⁰ "Council Journals, November 21, 1771," Colonial Records, vol. 9, 60-61.

may be able to reform the Magistracy of such as are Obnoxious to Government."¹¹²

¹¹¹ Hamilton and Wagstaff, 34.

Chapter 5

First Encounters: July 1772

Martin departed New Bern in late June 1772 with a party of about twenty staff and family. His destination was the backcountry town of Hillsborough, scene of the late Regulator riots and soon to be his headquarters for the summer. His arrival in the town would be his first appearance in the backcountry since taking office ten months earlier. It would also be the first time in five years that the colony's governor visited the region without leading an army of militia. Martin needed to demonstrate royal compassion early in his journey. He had little to gain and everything to lose.

Hillsborough was first settled in the early 1750s and was named in honor of Wills Hill, the Earl of Hillsborough and British Secretary for the Southern Colonies in North America. The town's location on the Eno River helped establish it as a prominent trading center for backcountry planters and it became the seat for Orange County, the most populous county in the backcountry.¹¹³ According to its charter, the town held a market at the courthouse every Saturday, held two fairs a year, and was allowed one representative in the Assembly.¹¹⁴ The town also served as the postal center for backcountry residents as mail was collected

¹¹² "Governor Martin to Secretary Hillsborough, March 8, 1772," Colonial Records, vol. 9, 268.

¹¹³ Orange County contained 3,870 taxables in 1767. See Whittenburg, 221.

every two weeks.¹¹⁵ Writing about Hillsborough in the middle of the nineteenth century, historian H.E. Colton observed that "Among the Southern towns, there are none whose history can furnish more incidents of the Revolutionary contest that deserve to be recorded."¹¹⁶ The town was also the scene of the most severe Regulator riots.

Martin's entry into the small village on July 1 was received "with every demonstration of respect and loyalty." This was a pleasant surprise as he had been uneasy about his reception in the backcountry. Lord Hillsborough had recognized that Martin continued "to express apprehensions of discontents still remaining in the frontier Counties."¹¹⁷ However, the British Secretary believed that regardless of the current temperament, Martin's journey was "... a very proper step."¹¹⁸ To ensure a warm reception in the backcountry, Martin strategically performed three gracious deeds within his first week in Hillsborough.

Two Regulators executed by Tryon for treason the previous year had left behind family members in dire straits. Benjamin Merrill, a former militia captain, was hanged in the presence of his wife and eight children.¹¹⁹ British law required

¹¹⁴ "Copy of the Charter to the Inhabitants of Hillsborough, July 9, 1770," Colonial Records, vol. 8, 215-217.

¹¹⁵ "Rev. Mr. Drage to Governor Tryon, St. Luke's Parish in the County of Rowan, May 29, 1770," Colonial Records, vol. 8, 209.

¹¹⁶ H.E. Colton, "Towns of the Revolutions – Hillsborough, N.C.," Southern Literary Messenger 23 (September 1856) : 161.

¹¹⁷ "Letter from Secretary Hillsborough to Governor Martin, Whitehall, July 1, 1772," Colonial Records, vol. 9, 309.

¹¹⁸ *Ibid.*

¹¹⁹ Apparently one of Merrill's sons was a Regulator. A Moravian diarist recalled that at the time of Tryon's militia encampment at Wachovia in June 1771, Merrill "came in much distress, seeking his father, who is outlawed...Merrell had been pardoned, and had begged for his father." This

that the property of those condemned for treason be forfeited to the British Crown. Martin learned of this case the previous December. Based on his request for the lands to be returned, Martin must have learned of this case first-hand. He informed Lord Hillsborough that this "innocent and miserable family... must starve" and that he was "engaged by feelings of humanity" to request the return of their lands to this "wretched and fatherless family."¹²⁰ Robert Matear was another Regulator executed with Merrill. Immediately prior to his involvement with the Regulators, Matear's aged parents had entrusted their lands to him. However, like Merrill, these lands had been forfeited to the Crown because of treason, leaving the parents destitute. Martin informed Lord Hillsborough that Matear was "the only child of a very aged father and mother who are good people and whose case much moves my compassion."¹²¹ Both of Martin's requests were granted and he presented these acts of pardon to the families of the condemned.

Martin received notification that the lands would be returned to the surviving families prior to his journey, yet he withheld announcement of these pardons until he arrived in Hillsborough for three important reasons. Announcing these pardons while residing in the backcountry helped make his arrival more welcome. Personally presenting an act of pardon to the surviving family members

diarist also noted that the militia had encamped on Merrill's lands and that Tryon had Merrill's plantation "laid waste." See *The Regulators in North Carolina*, 313, 314.

¹²⁰ "Josiah Martin to Earl of Hillsborough, December 12, 1771," *Documents of the American Revolution*, 262. Tryon had also requested the return of Merrill's lands. See "Earl of Hillsborough to Governor Josiah Martin, December 4, 1771," *Ibid.*, 251.

reflected a sense of solemnity that demonstrated respect from the same office that ordered the execution of their family members. Backcountry inhabitants, especially former Regulators, would see that royal authority could also be used to forgive and to heal.¹²² Martin "had the satisfaction to see them received with the most dutiful and lively gratitude."¹²³

On July 10, Martin distributed a proclamation for the respite outlaws to meet him in Hillsborough on August 1 "to be made acquainted with His Majesty's Royal Most Gracious Determination."¹²⁴ This proclamation was addressed to the six Regulators captured at the Battle of Alamance. For thirteen months, these six Regulators had been living with the sentence of death on their heads.

Martin received petitions on behalf of the outlawed Regulators from Guilford County. These men did not approach Martin directly but sent representatives to petition him on their behalf. Martin reported that these outlawed Regulators strongly desired to "expitiate their Offences against His Majesty's Government and the Laws of their Country" and declared "the utmost submission & penitence...to conform to my prescriptions whatever they might

¹²¹ "Josiah Martin to Earl of Hillsborough, October 18, 1771," Documents of the American Revolution, 211.

¹²² "Governor Martin to Secretary Hillsborough, April 12, 1772," Colonial Records, vol. 9, 278-279.

¹²³ "Governor Martin to Secretary Hillsborough, October 25, 1772," Colonial Records, vol. 9, 350.

¹²⁴ "Proclamation for the Restricted Outlaws to Come In, July 10, 1772," Colonial Governors Papers. Martin names only three of these six outlaws even though Tryon had requested pardon for all six. See "William Tryon to Lord Hillsborough, December 14, 1771," The Regulators in North Carolina, 538-539.

be."¹²⁵ Martin was surprised to learn that these men were declared outlaws on default of appearance to indictments under the Johnson Riot Act.

Prior to arriving in Hillsborough, Martin believed these Regulators were outlawed due to their leadership in the Regulator Movement and, thus, were excepted from the various pardon proclamations issued by Tryon. The King granted the Assembly the authority to pardon those it wished, but commanded Martin as governor to suspend implementing a pardon until the Crown had sufficient time to approve its contents.¹²⁶ In November 1771, the Assembly recommended a pardon for all outlawed Regulators with the exception of three principal leaders.¹²⁷ However, the fact that no further legal proceedings had been undertaken to address their involvement in the rebellion against Tryon's militia raised significant legal questions Martin had to resolve.

Martin was unsure whether the King's pardon was applicable to these outlaws since they had never been tried nor taken any oath of allegiance as set forth in the pardons issued by Tryon after the Battle of Alamance. Furthermore, the fact that they had never surrendered to authorities while in an outlawed state appears to have particularly incensed Martin. It was the appearance of James Hunter, one of these outlawed Regulators, at court without being arrested the

¹²⁵ "Governor Martin to Secretary Hillsborough, July 8, 1772," Colonial Records, vol. 9, 313.

¹²⁶ See "Secretary Hillsborough to Governor Martin, April 1, 1772," Colonial Records, vol. 9, 275.

¹²⁷ Three Regulators were excepted from this pardon: Herman Husband, Redknap Howell, and William Butler. See "John Butler to William Butler, August 2, 1772," The Regulators in North Carolina, 536.

previous March that had so infuriated Martin.¹²⁸ The Governor strongly believed the power of law should be upheld and demonstrated in this case. He also believed these individuals should be tried for offenses committed during the months leading up to the Battle of Alamance. However, the uncertainty of their legal status forced Martin to proceed with caution.

He informed these outlaws that they must surrender to justices in their respective counties as recognition of the law's power. This was an absolute necessity before any discussions of possible pardon could be undertaken. Martin summoned backcountry magistrates to meet with him at Hillsborough in August to advise him on the legal ramifications surrounding this case. To prepare for this meeting, Martin sent a circular to these magistrates that listed four questions related to the legal status of these outlaws. This was a twofold victory for Martin.

Martin's agreement to receive the petitions and representatives of this group of outlawed Regulators demonstrated his willingness to listen to the grievances of its most despised and rejected inhabitants. This occurred within two weeks of his arrival in the backcountry, thus allowing plenty of time for news to travel that the new governor was not among the people to exercise the sword and torch like his predecessor. By demanding the surrender of the outlawed Regulators to county justices, Martin emphasized the superiority of the rule of law at a time when the authority of backcountry law and justice seemed to be under

¹²⁸ Martin interpreted Hunter's appearance as defiant and unworthy of a gracious pardon. In addition, the failure of justices to apprehend Hunter further appalled Martin. See "Governor Martin to Secretary Hillsborough, March 8, 1772," Colonial Records, vol. 9, 268-269.

question. This sent a clear message that as long as he was governor, the law would be upheld and justice would be exercised. More importantly, the promotion of law and the caution Martin displayed demonstrated that Martin, unlike Tryon, was not going to establish temporary courts of Oyer and Terminer to punish special offenses or rule from a quasi-dictatorial position. This would have been understood immediately by former Regulators, especially those from Guilford County, as several of them had negotiated with Tryon during various uprisings and had been dismayed at the heavy handedness and lack of compassion displayed by the former governor. Furthermore, a meeting of backcountry justices gave Martin the opportunity to witness first-hand the personalities, actions, and interests of magistrates whose merit and professional judgment Martin had earlier called into question.¹²⁹

Martin spent July familiarizing himself with the region and visiting with local residents. Orange County voters elected two representatives in the election of 1771 who ran on a strong anti-Regulator platform.¹³⁰ Residents of the northern portion of Orange County were also attempting to get the county divided as attending militia musters and court sessions were a hardship.¹³¹ Typical of his encounters during this period was his meeting with John Butler, the brother of outlawed Regulator William Butler. William Butler was a violent, outspoken leader who had partaken in the Hillsborough Riot in September 1770 and attempted to

¹²⁹ See "Governor Martin to Secretary Hillsborough, March 8, 1772," Colonial Records, vol. 9, 268-269.

¹³⁰ The Regulators in North Carolina, xxv-xxvi.

¹³¹ "Council Journals, November 21, 1771," Colonial Records, vol. 9, 89.

assault Judge Richard Henderson. Two years earlier, Butler had been fined fifty pounds and sentenced to six months imprisonment for an earlier involvement in a riot and assault. William Butler had since petitioned for a pardon, claiming that he was "full Convinced that the principles which [the Regulators] had espoused were Erroneous, and therefore most Sincerely promise never to engage in the like again."¹³² John Butler had submitted a petition a year earlier to Martin on behalf of another outlawed Regulator, Thomas Wellborn, and had been actively petitioning for the pardon of his brother William since the defeat at Alamance. William Butler, along with Herman Husband and Redknap Howell, had been deliberately excluded from a pardon passed the year before by the Assembly due to their leadership roles. At the time of John Butler's meeting, a reward of one hundred dollars and 1,000 acres of land was on William Butler's head. Martin informed him "he could do nothing in the matter: but recommended that I should petition the House of Assembly next Fall."¹³³ Although John Butler failed to secure the pardon he hoped for, his visit with Martin encouraged him to advise his brother William "that there is no danger in your travelling [sic] in this Government."¹³⁴ Ironically, traveling was exactly what Martin planned to do.

¹³² The Regulators in North Carolina, 578.

¹³³ *Ibid.*, 538-537.

¹³⁴ *Ibid.*, 537.

Chapter 6

Among the People: August and September 1772

Martin spent his first month in the backcountry familiarizing himself with the residents of Hillsborough and the surrounding Orange County. This community had suffered much of the property damage and personal intimidation that characterized the latter period of the Regulator Movement. Martin's discussions with backcountry residents provided him with knowledge of their concerns and insight into their character and mindset. Such a firsthand education could not have been experienced from his residence at New Bern nor the heartfelt gratitude expressed to him by the grieving families of Benjamin Merrill and Robert Matear, yet there were more challenges ahead. Inhabitants further west of Hillsborough had experienced the most severe corruption and had filled the ranks of Regulator musters. Many remained unsure of their safety within the colony while others faced physical, financial, and social hardships resulting from Tryon's campaign. Furthermore, these inhabitants of the western-most counties were the most physically, politically, and culturally isolated from North Carolina's eastern power structures. In early August, Martin left Hillsborough and traveled through the western backcountry counties of Guilford, Rowan, Anson, Surry, and Mecklenburg. They contained roughly thirty percent of the colony's white

population and a tenth of the black population.¹³⁵ For Martin, engaging these settlers would be a significant challenge.

An important objective of Martin was to visit the Moravian settlements at Wachovia, a journey of only a few days from Hillsborough.¹³⁶ The Moravians had been settled in the region since 1752, when they purchased 100,000 acres from John Carteret, the Earl Granville and proprietor of the northern half of North Carolina. The tract of land, located in the heart of the backcountry, was settled with the hope that Moravians could live "without interfering with others & without being disturbed by them."¹³⁷ These industrious people organized their settlement around the communities of Salem, Bethabara, and Bethania. The Moravians conducted minor trade with other backcountry settlers and extended these settlers credit from stores operated within their community. As early as 1761, Moravians had established trade relations with Charles Town. Although the journey to Charles Town was farther than traveling to North Carolina's port towns, merchants in Charles Town paid higher prices for Moravian goods and offered more varieties of European products at affordable prices.¹³⁸

¹³⁵ These figures are for the year 1767. See Marvin L. Michael Kay, "The Payment of Provincial and Local Taxes in North Carolina, 1748-1771," William and Mary Quarterly 26 (April 1969) : 229.

¹³⁶ My estimate is that a three to four day ride by horseback or coach was the average journey from Hillsborough to Wachovia. This is based on the records of a Moravian diarist who noted that Judge Richard Henderson departed Bethabara on a Thursday afternoon and would be in Hillsborough for court sessions the following Monday. See "Bethabara Diary, 1772," Adelaide L. Fries, ed., Records of the Moravians in North Carolina vol.2 (Raleigh: Edward & Broughton Print. Co., 1922-1969), 730-731, hereafter cited as Records of the Moravians.

¹³⁷ Daniel B. Thorp, "Assimilation in North Carolina's Moravian Community," Journal of Southern History 52 (February 1986) : 32.

¹³⁸ Ibid., 393.

The Moravians tried to remain neutral during the Regulator Movement for fear of losing favor with British authorities. The religious freedom granted to the Moravians by the British Crown was their most valuable possession, and they had done everything within their power to display obedience to the colony's laws and respect for governing officials. Moravians experienced many of the same corrupt practices as Regulators. During his initial investigation of Piedmont lands in 1752, Moravian leader Bishop Spangenburg noted that "the Brethren, when they pay, must be careful to take and keep a receipt [for taxes], or they may be obliged to pay one or more additional times, --the men of Carolina say this has often happened."¹³⁹ On one occasion, a sheriff on tax collection duty in Salem "was taken aback" when two Moravians presented him with the colony's law book and inquired as to which taxes he was collecting. The sheriff departed, "showing plainly that his action this time was not according to law."¹⁴⁰ However, Regulators were very active in the Wachovia lands near the Yadkin River and Town Fork Creek settlements, and on numerous occasions Moravians were threatened and intimidated due to their failure to actively join Regulator efforts.¹⁴¹

Regulators threatened to burn the village of Bethania if Moravians failed to support Regulator demonstrations. Regulators who fought against Tryon at the Battle of Alamance claimed that men who failed to support their efforts, including Moravians, would be forced to give half of their harvest to those who did fight.¹⁴²

¹³⁹ Blower, 474.

¹⁴⁰ Ibid., 475.

¹⁴¹ "Extracts from Salem Diary," Records of the Moravians, vol. 2, 843.

¹⁴² "Marshall's Report to UEC 1771," Records of the Moravians, vol. 2, 619.

After their defeat at Alamance, however, Regulators pleaded with Moravians to intercede with Tryon on their behalf. Such a request reflected the perception, however realistic, that the Moravians had earned the trust and respect of the government. One Moravian recalled that the community was pleased to intercede as "this was of service to us, as even the wildest of the men were convinced that we were an orderly people, of worth to the country, and loyal."¹⁴³ When Tryon and his army encamped at the Moravian settlements during the Alamance campaign, Moravian leaders presented Tryon with a proclamation expressing their loyalty to the government. Moravians often considered some of North Carolina's leading officials as favoring their interests. Judge Richard Henderson was considered such a friend,¹⁴⁴ as was Louis Henry De Rossett, a member of Martin's Council.¹⁴⁵ Moravian leaders hoped to continue their successful relationship with the new governor.

Martin expressed interest in the Moravians early in his administration. Two of their leaders had visited New Bern earlier in the year to petition for a change in a recent boundary decision passed by the Assembly. The Moravian villages of Bethabara and Bethania were located in the newly created Surry County and fell under the ecclesiastical jurisdiction of St. Jude's Parish. The main town of Salem was located in Rowan County and fell under the ecclesiastical jurisdiction of Dobb's Parish.¹⁴⁶ The Moravians were dissatisfied with this arrangement as it

¹⁴³ "Bagge Manuscript," Records of the Moravians, vol. 2, 653.

¹⁴⁴ "Marshall's Report to U.E.C., April 25, 1772," Records of the Moravians, vol. 2, 678.

¹⁴⁵ "Bethabara Diary, 1771," The Regulators in North Carolina, 318.

¹⁴⁶ "Marshall's Report to U.E.C., April 25, 1772," Records of the Moravians, vol. 2, 678.

divided their communities geographically and limited their autonomy within Wachovia. The failure of their measure to pass led the two Moravians to depart the capital earlier than expected. Martin was disappointed to learn of their early departure "for he wished to have the Brethren at his table so that he might learn more about our Settlement."¹⁴⁷

Moravian leaders greeted Martin and his entourage near the border of the Wachovia tract on August 10. They welcomed him into Salem to the accompaniment of trombones, a reflection of the Moravian fondness for music.¹⁴⁸ Martin spent the first day of his visit inquiring about the land, their settlements, and aspects of backcountry life. German, English, and Irish immigrants who had only recently arrived from Virginia inhabited the lands surrounding the Moravian settlements.¹⁴⁹ The Moravians, proud of their accomplishments, encouraged Martin and his entourage to tour their settlement. Martin visited the newly completed Single Brothers House, a large imposing structure that housed most of the unmarried men of Salem. The Governor also toured the apothecary shop, pottery house, and blacksmith shop "with much satisfaction."¹⁵⁰

Martin also visited the Moravian store at Salem. This store provided goods to both Moravians and other backcountry settlers and was an important link in the backcountry economy. Martin concluded his first day at Salem by attending

¹⁴⁷ "Bethabara Diary," Records of the Moravians, vol. 2, 731.

¹⁴⁸ "Diary of Salem Congregation, 1772," Records of the Moravians, vol. 2, 684.

¹⁴⁹ See "Soelle's Diary," Records of the Moravians, vol. 2, 798.

¹⁵⁰ Records of the Moravians, vol. 2, 685.

services at the Salem chapel to hear the "singstunde" performed.¹⁵¹ In honor of the English guests, church members sang the *Passion of Jesus* with alternate English and German stanzas. Martin and his staff attended this service every night of their visit.¹⁵²

The Governor spent his second day inspecting the mill and village at Bethania. An observer noted that Martin's party "were much pleased with all that they saw and heard...were very lively" and that Martin was kind enough to forward a guinea as payment for their meal.¹⁵³ After a productive five-day visit, Martin departed the Moravian settlements at Wachovia. He was escorted as far as Friedland, a two-year-old community of Moravian immigrants from the Palantine region of Germany. A Moravian diarist recorded the congregation's appreciation of Martin's visit:

We saw with thankfulness that he was glad that the Brethren live in the Province intrusted to him...and he expressed the wish that the orderly, praiseworthy, life of the Brethren, their faithfulness, industry, and neatness, ought to be a pattern to neighbors in the Province.¹⁵⁴

Martin praised the industriousness of the Moravian community and hoped this quality would influence other backcountry settlers. Martin believed the slovenly character of many backcountry settlers was the result of Lord Granville's apathetic view towards settlement on his lands. Rather than organize a settlement policy that encouraged stability, security of land titles, and incentives

¹⁵¹ The singstunde was a nightly worship service unique to Moravian worship.

¹⁵² "Diary of Salem Congregation, 1772," Records of the Moravians, vol. 2, 684.

¹⁵³ "Bethabara Diary 1772," Records of the Moravians, vol. 2, 737.

to development, Lord Granville failed to supervise the influx of settlers on his lands. Thus, potential revenue was lost and "insolent" settlers dwelt where they wanted to "spread their vice."¹⁵⁵

For example, many settlers in this region registered tracts of land as required but never purchased an official title or patent to that land. They used resources on the land, such as timber, without ever paying revenues for these resources.¹⁵⁶ At the time of Martin's journey, close to three hundred Mecklenburg County residents were threatened with land foreclosure because officials claimed quitrent payments were overdue. According to the residents, the quitrents had been paid earlier to the proper authority. However, the absence of an official land office or of land records worked against the settlers.¹⁵⁷ This policy actually drew some settlers away to other colonies. Martin cited this practice in the Granville district as a leading contributor to Regulator problems.¹⁵⁸ Furthermore, the location of this region near the boundary of South Carolina created a disputed area that settlers claimed to their advantage. For example, a sheriff in this region met opposition when performing his official obligations because of "a difference of opinion prevailing amongst the Inhabitants with respect to the Dividing of the Provinces."¹⁵⁹ Virginia and South Carolina frontier regions established policies that aggressively secured land ownership which in turn led to the development of

¹⁵⁴ "Memorabilia of the Congregations and the Societies of the Brethren in Wachovia, for the Year 1772," Records of the Moravians, vol. 2, 660.

¹⁵⁵ Colonial Records, vol. 9, 333.

¹⁵⁶ "Legislative Journals, November 19, 1771," Colonial Records, vol. 9, 294-295.

¹⁵⁷ "Petition from Mecklenburg County on Dobbs Land," Colonial Records, vol. 9, 46.

¹⁵⁸ "Governor Martin to Secretary Hillsborough, July 8, 1772," Colonial Records, vol. 9, 312.

commercial agriculture and regional economic and social stability.¹⁶⁰ Although Martin recommended that Britain purchase Granville's lands as a means of solving these problems, the onset of the Revolution a few years later deterred any decisive resolution to these issues.

Martin's travels in the western-most counties of North Carolina coincided with the Superior Court Session in Rowan County. Residents described this county as "composed almost of all nations of Europe" and which contained "a medley of most of the religious tenets that have lately appeared in the world."¹⁶¹ Court sessions provided opportunity for residents to congregate and exchange the latest news and transact business. This session allowed Martin to learn first-hand about the issues facing these settlers. Rowan settlers petitioned for a division of the county as more than 2,000 of them were forced to travel almost 140 miles to attend the nearest court sessions at the county seat Salisbury.¹⁶² This hardship revealed to Martin the necessity of adequate roads and institutions to accommodate the growing population of the region. At the previous court

¹⁵⁹ "Council Journals, November 21, 1771," Colonial Records, vol. 9, 56.

¹⁶⁰ See the following works for an introduction to the backcountry regions of Virginia and South Carolina: Albert H. Tillson, Jr., Gentry and Common Folk: Political Culture on a Virginia Frontier, 1740-1789 (Lexington: University Press of Kentucky, 1991); Richard R. Beeman, The Evolution of the Southern Backcountry: A Case Study of Lunenburg County, Virginia, 1746-1832 (Philadelphia: University of Pennsylvania Press, 1984); Warren R. Hofstra and Robert D. Mitchell, "Town and Country in Backcountry Virginia: Winchester and the Shenandoah Valley, 1730-1800," The Journal of Southern History 59 (November 1993) : 619-646; Robert M. Weir, Colonial South Carolina: A History (New York: KTO Press, 1983); Rachel N. Klein, Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808; and Alan D. Watson, "The Quiltrent System in Royal South Carolina," William and Mary Quarterly 33 (April 1976) : 183-211.

¹⁶¹ "Extracts of a Petition from Sundry Inhabitants of the County of Rowan," Colonial Records, vol. 8, 219.

¹⁶² "Council Journals, November 21, 1771," Colonial Records, vol. 9, 91.

session held in March, the docket was primarily filled with settlers who owed various fees.¹⁶³ Five justices presided over the August session which, among other routine issues, tried to determine compensation to settlers who had furnished supplies to Tryon's army the previous year.

Tryon drew heavily from local planters in terms of food, equipment, wagons, and livestock to support his army. He required Quaker settlements in Orange County to furnish his army with six wagon loads of flour, along with the wagons, horses, and drivers needed to transport the supplies.¹⁶⁴ Tryon had already commandeered 405 steers and more than 280 barrels of flour from these settlements by the middle of his campaign.¹⁶⁵ Settlers who requested compensation at court had to submit a written bill and swear that they were not Regulators. Those failing to do so were not compensated.¹⁶⁶ Interestingly, the local precinct court sessions held in Surry County the previous month also inserted an anti-Regulator clause in the oath.¹⁶⁷ Such requirements revealed to Martin the continuing mistrust of former Regulators among backcountry settlers and the material hardship borne by these settlers as a result of Tryon's expedition. One county that had endured such trials was Guilford, the home of outlawed Regulators who had petitioned Martin in Hillsborough a month earlier.

¹⁶³ "Bethabara Diary, 1772," Records of the Moravians, vol. 2, 730-731.

¹⁶⁴ "Supplies for Tryon's Army," Colonial Records, vol. 8, 610. For an example of such bills, see Colonial Records, vol. 9, 50.

¹⁶⁵ "Tryon's Order Book in Campaign Against the Regulators," Colonial Records, vol. 8, 715.

¹⁶⁶ "Bethabara Diary, August 17, 1772," Records of the Moravians, vol. 2, 737.

¹⁶⁷ "Bethabara Diary, 1772," Records of the Moravians, vol. 2, 729.

As Martin arrived in the county, these outlawed Regulators made “the most pressing solicitations” to meet with Martin.¹⁶⁸

Initially, Martin was unsure how to respond. Concerned with the necessity of demonstrating the rule of law, Martin had already demanded the outlaws surrender themselves to the justices of their county the previous month. As the highest official in the colony, Martin questioned the legitimacy and practicality of meeting with legally sanctioned outlaws, especially when their ultimate legal status had yet to be determined. Despite these issues, Martin became more concerned with the implications of not meeting with these individuals, concluding that “a refusal might to their ignorant minds imply apprehensions of personal violence or predetermined rigour [sic],” he wrote to Lord Hillsborough later that month.¹⁶⁹ As a result, Martin consented to a meeting.

Martin’s meeting with these outlawed Regulator leaders was the first encounter between the most outspoken leaders of the Regulator Movement and the Crown’s highest representative since the Battle of Alamance fifteen months earlier. Both parties were unsure of expectations. Martin recalled that “they came accordingly before me bearing in their countenances every mark of truest contrition and penitence and after the most solemn protestation of their innocence...they declared their resolution to submit to the Royal Pleasure and implored my pity and good offices.”¹⁷⁰ Among these outlawed Regulators was

¹⁶⁸ “Governor Martin to Secretary Hillsborough, August 30, 1772,” Colonial Records, vol. 9, 329.

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*

James Hunter. Martin took the opportunity to reprehend Hunter for appearing so deliberately during the February court sessions while in a state of outlawry. Hunter replied he was unaware of such an indecency and received Martin's forgiveness. The meeting then turned to the question of pardoning. The outlaws had remained peaceable and law abiding since Alamance. They sought restoration of their legal status and a peaceable return to their lands. Martin informed them it was out of his power to pardon at that time, as his instructions from the King were to share his pardon authority with the council and assembly. Hunter recalled that Martin gave assurance that "he had given strict orders no man should be hurt or meddled with."¹⁷¹ The Governor advised them that contingent upon their continued good behavior and surrender to local justices, he would provide a solution as soon as possible. He wanted to be sure "to take such measures with them as may be required in form of law and consistent at the same time with the Gracious Intentions of his Majesty."¹⁷² Martin recalled that he "dismissed them...with sentiments of pity and compassion I never should have felt if I had not seen them and made myself acquainted with their barbarous ignorance that really surpasses all description."¹⁷³

Martin's compassion towards the outlawed Regulators needed to be balanced with judicial action. The indictments against these Regulators were issued under the Johnston Riot Act that had expired by the time of this meeting in

¹⁷¹ "James Hunter to William Butler, November 8, 1772," The Regulators in North Carolina, 538.

¹⁷² "Governor Martin to Secretary Hillsborough, July 8, 1772," Colonial Records, vol. 9, 314.

Guilford County. Furthermore, these Regulators had never been tried for taking up arms against the government. Thus, their legal status was undecided, making it difficult for Martin to offer any type of pardon or act of mercy. To resolve this complicated legal issue, Martin met with four prominent backcountry magistrates in Hillsborough on August 20. These magistrates had earlier reviewed Martin's circular related to these outlaws, and they were among the most familiar with Regulator offenses.

Chief Justice Martin Howard, the highest judicial authority in the colony, had supported the original indictments against the Regulators under the Johnston Riot Act yet many in the Regulator Movement considered him objective in his decisions.¹⁷³ Howard informed Martin "that if the peace and quiet of the Country is the object in view it would be wiser to pass a General Amnesty without making any further stir concerning the criminality of the Insurgents."¹⁷⁵ Judge Richard Henderson had been assaulted during the Hillsborough Riot of 1770 and also had his home burned by Regulators. However, he likewise recommended an act of pardon "without any further or other prosecution against them."¹⁷⁶ Judge Maurice Moore had been a strict adversary of the Regulators during their most active period, yet he had become quite lenient towards them by the time of Martin's journey. Moore decided the outlawed Regulators were "not liable to be

¹⁷³ "Letter from Governor Martin to Secretary Hillsborough, August 30, 1772," Colonial Records, vol. 9, 330.

¹⁷⁴ Don Higginbotham and William S. Price, Jr., "Was It Murder for a White Man to Kill a Slave? Chief Justice Martin Howard Condemns the Peculiar Institution in North Carolina," William and Mary Quarterly 36 (October 1979) : 594.

¹⁷⁵ "Copy of the Chief Justice's Opinion, August 24, 1772," Colonial Records, vol. 9, 334.

indicted."¹⁷⁷ Attorney General Thomas McGwire, the fourth magistrate in attendance, had advised Tryon on legal matters concerning the Regulators. He counseled Martin that an act of pardon could be passed in favor of the outlawed Regulators "without the previous ceremony of a Trial."¹⁷⁸ Martin evaluated these legal opinions and concluded these magistrates were "doubtful as well about the possibility as the expediency of ascertaining or punishing their past crimes." Thus, Martin advised the outlawed Regulators to appear at the next Superior Court session and submit to routine monitoring until the Assembly met in December.¹⁷⁹ This act would keep them accountable to the government while also protecting them from "ill-designing fellows."¹⁸⁰

Martin's title as Governor also included Commander-in-Chief. As such, he was responsible for the colony's militia. Martin's interest in military affairs came naturally considering his experience in the British army. Martin had stressed the importance of the militia in his first address to the Assembly when he recommended that they "maintain the militia of this Province on a respectable footing."¹⁸¹ Many backcountry inhabitants were members in their local militia. When Governor Tryon called out the militia to muster against the Regulators in

¹⁷⁶ "Copy of Judge Henderson's Opinion, August 24, 1772," Colonial Records, vol. 9, 335.

¹⁷⁷ "Copy of Judge Moore's Opinion, August 24, 1772," Colonial Records, vol. 9, 336.

¹⁷⁸ "Copy of Mr. Attorney General's Opinion, August 29, 1772," Colonial Records, vol. 9, 339.

¹⁷⁹ *Ibid.*, 331. Martin sent a letter to backcountry justices requesting their opinions about the complex legal issues surrounding the outlawed Regulators. See Colonial Records, vol. 9, 333-339.

¹⁸⁰ Apparently Martin was concerned about renewed violence in the backcountry due to certain "injuries" that were doubtfully blamed on the outlawed Regulators. See Regulators in North Carolina, 538; "Letter from Governor Martin to Secretary Hillsborough, August 30, 1772," Colonial Records, vol. 9, 331.

¹⁸¹ "Legislative Journals, November 19, 1771," Colonial Records, vol. 9, 101-102.

early 1771, units from backcountry counties responded with mixed enthusiasm, as many militiamen sympathized with Regulators because of their own experiences with corrupt officials. Furthermore, those who did respond to Tryon's call participated in operations that were actually against their neighbors. This created a complex issue that Martin needed to address. During his travels in August, Martin reviewed militia from Chatham, Guilford, and Orange counties, and the experience of these units in the Regulator expedition typified the complexity of this issue.¹⁸²

Orange County sent four militia companies to support Tryon's expedition against the Regulators.¹⁸³ When Tryon's army encamped in Orange County following the Battle of Alamance, Tryon observed an exceptional willingness on the part of Orange County residents to display obedience to the government. He noted that "it will take me some days to settle the Country in these parts, the Inhabitants come in fast to submit themselves to Government."¹⁸⁴ While Orange County residents submitted, the Orange County detachment of militia spent two weeks scouting through neighboring Rowan County, much to the dislike of Rowan inhabitants.¹⁸⁵ General Hugh Waddell was commissioned by Tryon to lead a small army through the western counties of Mecklenburgh, Rowan, and Anson

¹⁸² Chatham County was created from Orange County in 1771. Guilford County was created from Orange and Rowan counties in 1771.

¹⁸³ "Tryon's Order Book in Campaign Against the Regulators," Colonial Records, vol. 8, 579-580; "Return of the Army Whilst Encamped at Hermon Husband's on Sandy Creek 29 May 1771," Colonial Records, vol. 8, 677. Of the 1,017 men listed in this report, the 162 men of the Orange County detachment were the most of any county detachment.

¹⁸⁴ "To General Waddell May 23, 1771" in "Tryon's Order Book in Campaign Against the Regulators," Colonial Records, vol. 8, 713.

to repel any Regulator activity in these remote regions.¹⁸⁶ Waddell, however, failed to draw enough men to his support: "I flatter myself of the difficulties and fatigue you have struggled with in raising the Troops required," Tryon wrote to Waddell.¹⁸⁷ Regulators in Mecklenburg County destroyed a wagon filled with ammunition that was destined for Waddell's army. Nine Mecklenburg residents were later accused of the act and excepted from the King's pardon. However, Martin had recommended these men for pardon.¹⁸⁸ His journey through this region allowed him to become acquainted with issues that faced residents and militia members alike. Martin desired such an opportunity, as he wanted "to form my own judgement of their temper, and dispositions."¹⁸⁹

Martin's relationship with the militia existed by precedent only. He had yet to address them personally nor demonstrate leadership so necessary to secure their loyalty. Considering the militia's divided involvement in the Regulator riots, Martin faced a challenging situation. The civil responsibility of the militia called for them to answer a governor's call for support. More important than their preparedness and martial spirit was their understanding and acceptance of their role in the public affairs of the colony. North Carolina's security depended on the governor's ability to mobilize provincial militia to counter any internal or external

¹⁸⁶ "Letter from William Johnston Esq. To Richard Bennehan, Esq., May 30, 1771" Colonial Records, vol. 8, 613.

¹⁸⁷ "To General Waddell June 7, 1771" in "Tryon's Order Book in Campaign Against the Regulators," Colonial Records, vol. 8, 717.

¹⁸⁸ "To General Waddell, May 1, 1771," in "Tryon's Order Book in Campaign Against the Regulators," Colonial Records, vol. 8, 711.

¹⁸⁹ "Council Journals, November 21, 1771," Colonial Records, vol. 9, 57.

¹⁹⁰ "Governor Martin to Secretary Hillsborough, October 25, 1772," Colonial Records, vol. 9, 349.

threat. If the militia failed to respond appropriately to orders, the security of the colony was in jeopardy and royal authority severely hindered. This scenario was partially demonstrated during the Regulator riots of 1771. Furthermore, a militia composed of men who were frustrated with provincial government placed the colony and its governor in a precarious situation. Martin had to address this problem in tactful manner. To criticize and condemn might alienate militiamen who supported royal government. To avoid rebuking them for their role in the Regulator riots would undermine Martin's authority as royal governor, presenting himself weak and timid to the very men he might someday have to command. Furthermore, Martin had to demonstrate to frustrated settlers that change and prosperity could only come if laws and institutions were obeyed and addressed through legal channels, not through riot and rebellion.

The muster of these militia units did not impress the Governor. Martin chastised the militia for their involvement in the Regulator movement. After reminding them of "their civil duties & obligations," he encouraged them to maintain the good works they were capable of performing. Although he took the opportunity "to assure them of my utmost protection and support of their just rights," Martin made clear his "firm resolution to maintain the Laws inviolate, and to punish with every lawful rigour any relapse into sedition and violence."¹⁹⁰ Thus, Martin was able to demonstrate leadership and authority to the militia while exercising mercy and understanding at the same time.

¹⁹⁰ Ibid.

While traveling through the backcountry, Martin learned first-hand that summer drought was one of the most pressing issues facing backcountry residents. The drought prevented settlers from planting corn, a staple crop among backcountry farmers. It was grown primarily for bread and those who grew minor surplus used it for trade or sold it.¹⁹¹ One Moravian diarist noted as early as March 1772 that there was a "great lack of corn just now, many people are actually suffering hunger because they have nothing to eat."¹⁹² The diarist also noted a great lack of food toward the Yadkin River and Virginia – areas where new immigrants had recently settled.¹⁹³ A minister in St. Luke's Parish in Rowan County observed that the "poverty of the cattle from the severity of the last winter which occasioned a scarcity of fodder."¹⁹⁴ By the time of Martin's arrival in the backcountry, small mills did not even have enough water to continue grinding what little grain was available.¹⁹⁵

Martin listened to these complaints with concern. A lack of adequate provisions among backcountry settlers meant more than just hunger. Such a hardship was exactly the type of stress the already volatile region did not need. Robbery and intimidation would inevitably be used to acquire provisions and such threats had already been made against the Moravians. In April, neighbors near Wachovia had purchased everything produced by the bakery in the village

¹⁹¹ "Bethabara Diary, 1772," Records of the Moravians, vol. 2, 735.

¹⁹² *Ibid.*, 730.

¹⁹³ *Ibid.*, 732.

¹⁹⁴ "Reverend Drage to Governor Tryon, May 29, 1770," Colonial Records, vol. 8, 203.

¹⁹⁵ "Bethabara Diary, 1772," Records of the Moravians, vol. 2, 736.

of Bethabara.¹⁹⁶ A month later, other neighbors threatened to take what grains they needed by force.¹⁹⁷ Moravians in Salem even ground 100 bushels of wheat in order to lessen the possibility of it being stolen.¹⁹⁸ Martin determined that efforts needed to be made to prevent corn from being exported out of the colony. However, such an effort was fraught with challenges.

British administrators maintained a tight grip on colonial exports. North Carolina had not experienced the depth of hardship of northern colonies as a result of the various navigation acts passed during the late 1760s. North Carolina did not have the exports to participate in Atlantic trade to the great extent of New York, Massachusetts, or Rhode Island. Furthermore, Britain was experiencing shortages in corn and flour so the chances that Martin's superiors would support his embargo were unlikely.¹⁹⁹

Martin called for a meeting of his Council, but had limited accessibility to most Council members. Only three members were available to participate in embargo discussions. After Martin's presentation, the Council agreed that exports of corn and other grains had to be restricted. On August 25, Martin issued a proclamation forbidding the export of wheat, rye, or flour for three

¹⁹⁶ "Bethabara Diary, 1772," Records of the Moravians, vol. 2, 732.

¹⁹⁷ Ibid., 735.

¹⁹⁸ Ibid., 734.

¹⁹⁹ South Carolina planter Henry Laurens, traveling through Britain during the summer of 1772, described the hardship of Britain's population. Laurens wrote that "Every body hereabouts complains of the Wet Harvest, I am an Eye Witness of a vast loss in Corn...indeed the prospect hereabouts is dismal & all the neighbouring Counties must suffer greatly." See George C. Rogers, Jr., David R. Chesnutt, Peggy J. Clark, eds., The Papers of Henry Laurens Volume 8. 1771-1773 (Columbia: University of South Carolina Press, 1980), 458.

months duration, much to the satisfaction of backcountry inhabitants.²⁰⁰ Aware of possible repercussions from his superiors for issuing a proclamation that restricted trade, a policy decision to be left to London, Martin immediately wrote to Lord Hillsborough explaining his decision. Martin stated that he issued the embargo with the advice of only three members of his Council due to the various members being "so remotely situated and widely dispersed" that it is "difficult to assemble a greater Quorum."²⁰¹ Regardless of the outcome, Martin had responded effectively to the fears of backcountry settlers, thus further gaining their support.

Upon his return to Hillsborough, Martin's correspondence reveals an increasingly sympathetic view towards backcountry residents. In a report to Lord Hillsborough written during the last week of August, he admits that

My progress through this Country My Lord hath opened my eyes exceedingly with respect to the commotions and discontents that have lately prevailed in it. I now see most clearly that they have been provoked by insolence and cruel advantages taken of the peoples ignorance by mercenary tricking Attornies, Clerks and other little Officers who have practiced upon them every sort of rapine and extortion by which having brought upon themselves their just resentment.²⁰²

Martin's sympathetic views were reinforced by his dramatic response to corrupt backcountry officials. He removed officials accused of wrong doing where adequate evidence was available. One such official was John McGee, whose property had been destroyed in a fire believed to have been set by outlawed

²⁰⁰ "A Proclamation, August 25, 1772," Colonial Records, vol. 9, 328.

²⁰¹ "Governor Martin to the Earl of Hillsborough, August 21, 1772," Colonial Records, vol. 9, 324.

²⁰² "Letter from Governor Martin to Secretary Hillsborough, August 30, 1772," Colonial Records, vol. 9, 330.

Regulators earlier in the year. He ordered a list to be posted at courthouses and churches that contained public finances back to 1755. The list also included the names of sheriffs and the amount of funds they collected year by year. In addition, Martin convinced the notorious attorney Edmund Fanning to forgive the destruction of his house and property during the Regulator riots in Hillsborough two years earlier. Fanning's forgiveness statement was published in advertisements throughout the colony.²⁰³ A traveler through the region observed that "Martin's attention to the relief of these poor people was such as won him their highest confidence and esteem."²⁰⁴

In late September, Martin prepared to depart from Hillsborough for the colony's capitol in New Bern. He remained in Orange County long enough to witness the Superior Court session. Expectations were high as Martin waited for the outlawed Regulators to arrive. It had been exactly two years since the Hillsborough Riots had catapulted the Regulator Movement into open confrontation with the colony's governing authorities. Despite positive reaction to Martin's actions during the summer, a disturbance of any kind would condemn his efforts as a failure and possibly return the backcountry to a worse state than when he arrived. On September 23rd, the outlawed Regulators arrived at court and agreed to routinely check in with magistrates until their legal status was decided. Their behavior during their brief stay in Hillsborough was without

²⁰³ The Regulators in North Carolina, 538.

²⁰⁴ Evangeline W. and Charles M. Andrews, eds., Journal of a Lady of Quality: Being the Narrative of a Journey from Scotland to the West Indies, North Carolina, and Portugal, in the Years 1774 to 1776 (New Haven, 1923), 281.

incident. Two days later, Martin departed Hillsborough assured "that the part of the Country which last year exhibited such scenes of confusion and disorder, enjoys at this time in common with the rest of the Province profound peace and tranquility [*sic*]." ²⁰⁵

²⁰⁵ "Governor Martin to Secretary Hillsborough, October 25, 1772," Colonial Records, vol. 9, 348.

Conclusion

Martin returned to New Bern in early October after traveling more than eight hundred miles. In the course of fifteen weeks, Martin addressed the fears and frustrations of a distraught and bitter populace. Having been in office for less than a year at the time of his arrival in the backcountry, Martin demonstrated the seriousness with which he accepted his responsibilities as governor and the skill needed to stabilize and encourage a vanquished people. Martin's new understanding of backcountry affairs and respect for its inhabitants was reflected in his actions in the months following his journey.

The opening session of the Assembly in early 1773 was a time for reflection on provincial affairs. As the first meeting of the Assembly since Martin's journey, legislators took the opportunity to acknowledge the Governor's contribution to backcountry stability:

The happy effects of his Majesty's most gracious interposition with respect to the deluded Inhabitants settled in the interior part of this Province, and the share your Excellency has had in making that peace and order which hath been restored permanent and effectual claim a tribute of thanks from this House.²⁰⁶

Martin's journey convinced him of the important role the Assembly must demonstrate in responding to concerns of backcountry residents. They must no

longer neglect the interests of that region as they had done for so many years.

He reminded the Assembly that permanent resolution to backcountry grievances could only come from that body of legislators:

I cherished the happy propensity by every encouragement in my power then much extended by the authority of His Majesty that made me the glad and humble instrument to displaying many most gracious Acts of His Royal clemency, but it is only by the wholesome provisions and regulations of the Legislature that I can hope for the delightful satisfaction of seeing the tranquility [sic] of this Colony fully restored and permanently secured.²⁰⁷

Martin's backcountry journey exposed him to the difficulties of overland travel in the region. Poor road conditions and the growing population created demand by inhabitants for better access to local courts, government services, and trading activities. Martin also realized roads played a major role in improving communication between backcountry residents and coastal communities. This communication was crucial for the colony to benefit from internal trade that simmered beneath the surface of backcountry affairs. During the Assembly session in early 1773, Martin supported numerous legislative acts that funded road building and transportation initiatives within the backcountry. Such projects would "civilize and improve" the populous commercial area centered around the Cape Fear River which "promises to be the greatest Mart of the Western Parts of this Province."²⁰⁸ Martin also approved funding to build a courthouse in Salisbury, much to the praise of Rowan County residents.²⁰⁹ Such commendation was

²⁰⁶ "Legislative Journals, February 27, 1773," Colonial Records, vol. 9, 454.

²⁰⁷ "Legislative Journals, January 25, 1773," Colonial Records, vol. 9, 379.

²⁰⁸ "Josiah Martin to Lord Dartmouth, May 30, 1773," Colonial Records, vol. 9, 659.

²⁰⁹ *Ibid.*, 661.

reflected in the *Virginia Gazette* which, in August 1773, recognized "the Marks of Esteem and Respect paid the worthy Judge, by all Persons in the back Country."²¹⁰

Martin continued his support for Moravian interests. In a letter to Lord Dartmouth that explained the various acts which passed in the first Assembly session after his backcountry journey, Martin described an act that addressed Moravian concerns regarding the division of their lands as "calculated for relieving the settlement of Moravians, who are a sober, orderly and good people from many inconveniences."²¹¹ In 1773, Martin forwarded a much-desired map of the colony to the Moravians by addressing them as "his friends."²¹² It is interesting to note that during the outbreak of hostilities between the colonies and Great Britain in 1775, Martin was very much concerned with the welfare of the Moravians and their position in the struggle. Upon his return from New Bern, an Assemblyman from Surry County informed Moravian leaders that

the Governor asked him expressly what stand we were taking; he was told that we were having nothing to do with the matter, and the Governor replied that that was what he expected to hear.²¹³

The effects of Martin's journey were evident as late as 1775 when war broke out between Great Britain and her colonies. Lord Dartmouth acknowledged the loyalty of backcountry residents: "the addresses from the four counties of Guilford, Dobbs, Rowan, and Surry breathe a spirit of loyalty to the King and

²¹⁰ *Virginia Gazette*, August 12, 1773, 21.

²¹¹ "Josiah Martin to Lord Dartmouth, May 30, 1773," *Colonial Records*, vol. 9, 657.

²¹² "Extracts for Salem Diary," *Records of the Moravians*, vol. 2, 760.

²¹³ "Diary of Salem Congregation 1775," *Records of the Moravians*, vol. 2, 871.

Attachment to the Authority of Great Britain."²¹⁴ Martin expressed a strong belief in backcountry loyalty to the Crown: "I am persuaded to believe that loyal subjects yet abound and infinitely outnumber the seditious throughout all the very populous Western Counties of this Province."²¹⁵ Having traveled to the backcountry region during the summer of 1772, Martin gained valuable insight into the hopes and fears of the colony's most neglected inhabitants. Backcountry settlers had responded warmly to Martin's compassionate overtures, personal interest, and administrative efforts. Ironically, in a letter written to his brother Samuel on the day of the Regulator defeat at Alamance Creek, Martin described his objectives for the upcoming governorship by stating simply that "I shall be a new man & I hope to find a field for the exercise of mercy & the display of the olive branch."²¹⁶ As demonstrated during his journey to the backcountry, Martin met these objectives.

²¹⁴ "Circular from Lord Dartmouth to Governor Martin, May 3, 1775," Colonial Records, vol. 10, 112.

²¹⁵ "Letter from Governor Martin to the Earl of Dartmouth, November 12, 1775," Colonial Records, vol. 10, 113.

²¹⁶ Stumpf, "Josiah Martin and His Search for Success: The Road to North Carolina," 75.

Bibliography

Primary Sources

- Andrews, Evangeline W. and Charles M., eds. Journal of a Lady of Quality: Being the in Narrative of a Journey from Scotland to the West Indies, North Carolina, and Portugal, the Years 1774 to 1776. New Haven, 1923.
- Byrd, William. Histories of the Dividing Line Betwixt Virginia and North Carolina. With Introduction and Notes by Dr. William K. Boyd. Raleigh: Edwards & Broughton Company, 1929.
- Caruthers, E. W. A sketch of the life and character of the Rev. David Caldwell, D.D., near sixty years pastor of the churches of Buffalo and Alamance. Greensborough, N.C., Printed by Swaim and Sherwood, 1842.
- Colonial Governor's Papers, 1765-1786. CGP. 6-8, North Carolina Department of Archives and History, Raleigh.
- Colton, H.E. "Towns of the Revolution – Hillsborough, N.C." Southern Literary Messenger 23 (September 1856) : 161-176.
- Davies, K.G., ed. Documents of the American Revolution 1770-1783. Colonial Office Series, Shannon: Irish University Press, 1973.
- Fries, Adelaide L., ed. Records of the Moravians in North Carolina. Raleigh: Edwards & Broughton Print. Co., 1922-1969.
- Hooker, Richard J., ed. The Carolina Backcountry on the eve of the Revolution: the Journal and other writings of Charles Woodmason, Anglican itinerant. Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1953.
- "Journal of a French Traveler in the Colonies, 1765, I." American Historical Review 26 (July 1921) : 726-747.
- Morehead, Joseph M. Addresses on the Life and Times of James Hunter, "general" of the Regulators; of Professor J.M. Weatherly, on the presentation of David Clark's portrait of John Penn; of Hon. Charles M. Stedman, on the Schenck Museum, Guilford Battle Ground, July 3rd, 1897. Guilford Battleground Co., 1897.

Powell, William S. et al., eds. The Regulators in North Carolina: A Documentary History, 1759-1776. Raleigh: State Department of Archives and History, 1971.

Saunders, William L. ed. The Colonial Records of North Carolina. Volume 7, Volume 8, New York: AMS Press, Inc., 1968.

Saunders, William L. ed. The Colonial Records of North Carolina. Volume 9, Volume 10, Raleigh: State of North Carolina, 1886-1890.

Rogers, George C. Jr., David R. Chesnutt, Peggy J. Clark, eds. The Papers of Henry Laurens. Columbia: University of South Carolina Press, 1980.

Williamson, Hugh. The History of North Carolina. Philadelphia: Published by Thomas Dobson, At the Stone House, no. 41, South Second Street. Fry and Kammerer, Printers, 1812.

Published Secondary Sources

Adams, George R. "The Carolina Regulators: A Note on Changing Interpretations." North Carolina Historical Review XLIX (October 1972) : 345-352.

Beeman, Richard R. The Evolution of the Southern Backcountry: A Case Study of Lunenburg County, Virginia, 1746-1832. Philadelphia: University of Pennsylvania Press, 1984.

Caldwell, Norman W. "The Southern Frontier During King George's War." Journal of Southern History 7 (February 1941) : 37-54.

Denson, Andrew C. "Diversity, Religion, and the North Carolina Regulators." North Carolina Historical Review 72 (1995) : 30-53.

Douglass, Elisha P. Rebels and Democrats: The Struggle for Equal Political Rights and Majority Rule during the American Revolution. Chapel Hill: University of North Carolina Press, 1955.

Ekirch, A. Roger. "Poor Carolina": Politics and Society in Colonial North Carolina, 1729-1776. Chapel Hill: University of North Carolina Press, 1981.

———. "North Carolina Regulators on Liberty and Corruption, 1766-1771." Perspectives in American History 11 (1977-1978) : 197-256.

Gruber, Ira D. "The American Revolution as a Conspiracy: The British View." William and Mary Quarterly 26 (July 1969) : 360-372.

Hamilton, J.G. de Roulhac and Henry McGilbert Wagstaff, ed. "County Government on Colonial North Carolina" as published in The James Sprunt Historical Publications, Volume 12, No. 1. Chapel Hill: The University, 1912.

Higginbotham, Don and William S. Price, Jr. "Was It Murder for a White Man to Kill a Slave? Chief Justice Martin Howard Condemns the Peculiar Institution in North Carolina." William and Mary Quarterly 36 (October 1979) : 593-601.

Hoffer, Peter C. and N.E.H. Hull. "Power and Precedent in the Creation of an American Impeachment Tradition: The Eighteenth-Century Colonial Record." William and Mary Quarterly 36 (January 1979) : 51-77.

Hoffman, Ronald, Thad W. Tate and Peter J. Albert, eds. An Uncivil War: The Southern Backcountry During the American Revolution. Charlottesville: Published for the U.S. Capitol Historical Society by the University Press of Virginia, 1985.

Hofstra, Warren R. and Robert D. Mitchell. "Town and Country in Backcountry Virginia: Winchester and the Shenandoah Valley, 1730-1800." Journal of Southern History 59 (November 1993) : 619-646.

Kay, Marvin L. Michael. "Provincial Taxes in North Carolina During the Administrations of Dobbs and Tryon." North Carolina Historical Review XLII (1965) : 440-453.

_____. "The Payment of Provincial and Local Taxes in North Carolina, 1748-1771." William and Mary Quarterly 26 (April 1969) : 218-240.

Klein, Rachel N. "Ordering the Backcountry: The South Carolina Regulation." William and Mary Quarterly 38 (October 1981) : 661-680.

_____. Unification of a Slave State: The Rise of the Planter Class in the South Carolina Backcountry, 1760-1808. Chapel Hill: Published by the University of North Carolina Press for the Institute of Early American History and Culture, 1990.

Lefler, Hugh T. North Carolina History Told By Contemporaries. Chapel Hill: University of North Carolina Press, 1965.

Martin, James Kirby, ed. Interpreting Colonial America: Selected Readings. New York: Harper & Row Publishers, Second edition, 1978.

Merrell, James. The Indians' New World: Catawbas and Their Neighbors from European Contact through the Era of Removal. Chapel Hill: Published for the Institute of Early American History and Culture by the University of North Carolina Press, 1989.

Merrens, Harry Roy. Colonial North Carolina in the Eighteenth-Century: A Study in Historical Geography. Chapel Hill: University of North Carolina Press, 1964.

Meyer, Duane L. The Highland Scots of North Carolina, 1732-1776. Chapel Hill: University of North Carolina Press, 1961.

Miller, John C. Origins of the American Revolution. Stanford: Stanford University Press, 1959.

Otto, John Solomon. "The Migration of Southern Plain Folk: An Interdisciplinary Synthesis." Journal of Southern History 51(May 1985) : 183-200.

_____. The Southern Frontiers, 1607-1860: The Agricultural Evolution of the Colonial and Antebellum South. New York: Greenwood Press, 1989.

Sheridan, Richard B. "The West Indian Antecedents of Josiah Martin, Last Royal Governor of North Carolina." North Carolina Historical Review 54 (July 1977) : 253-270.

Silver, Timothy. A New Face on the Countryside: Indians, Colonists, and Slaves in South Atlantic Forests, 1500-1800. Cambridge: Cambridge University Press, 1990.

Stumpf, Vernon O. "Josiah Martin and His Search for Success: The Road to North Carolina." North Carolina Historical Review 53 (January 1976) : 55-79.

_____. Josiah Martin: The Last Royal Governor of North Carolina. Durham: Carolina Academic Press for the Kellenberger Historical Foundation, 1986.

Taylor, H. Braughn. "The Foreign Attachment Law and the Coming of the Revolution in North Carolina." North Carolina Historical Review 52 (1975), 20-36.

- Thorp, Daniel B. "Assimilation in North Carolina's Moravian Community." Journal of Southern History 52 (February 1986) : 19-42.
- _____. "Doing Business in the Backcountry: Retail Trade in Colonial Rowan County, North Carolina." William and Mary Quarterly XLVIII (July 1991) : 387-408.
- _____. "Taverns and Tavern Culture on the Southern Colonial Frontier: Rowan County, North Carolina, 1753-1776." Journal of Southern History LXII (November 1996) : 661-688.
- Tillson, Albert H., Jr. Gentry and Common Folk: Political Culture on a Virginia Frontier, 1740-1789. Lexington: University Press of Kentucky, 1991.
- Watson, Alan D. "The Origin of the Regulation in North Carolina." Mississippi Quarterly 47 (1994) : 567-598.
- _____. "The Constable in Colonial North Carolina." North Carolina Historical Review 68 : 1-16.
- _____. "County Fiscal Policy in Colonial North Carolina." North Carolina Historical Review 55 (1978) : 1284-1305.
- _____. "The Quitrent System in Royal South Carolina." William and Mary Quarterly 33 (April 1976) : 183-211.
- Weir, Robert M. Colonial South Carolina: A History. New York: KTO Press, 1983.
- White, Stephen Jay. "From the Vestry Act to Cary's Rebellion: North Carolina Quakers and Colonial Politics." Southern Friend 8 (1986) : 3-26.
- Whittenburg, James P. "Planters, Merchants, and Lawyers: Social Change and the Origins of the North Carolina Regulation." William and Mary Quarterly 34 (April 1977) : 215-238.
- Williams, Justin. "English Mercantilism and Carolina Naval Stores." Journal of Southern History 1 (May 1935) : 169-185.
- Wood, Gordon S. The Radicalism of the American Revolution. New York: Alfred A. Knopf, 1992.
- Zobel, Hiller B. The Boston Massacre. New York: W.W. Norton & Company, 1970.

Dissertations and Thesis

Blanks, Joseph Younger Jr. "The Administration of Governor Josiah Martin in North Carolina." MA Thesis, University of North Carolina at Chapel Hill, 1948.

Blower, Daniel Frederick. "The Orange County and Mecklenberg County Instructions: The Development of Political Individualism in Backcountry North Carolina, 1740-1776." Ph.D. diss., University of Michigan, 1984.

Thorp, Daniel B. "Moravian Colonization of Wachovia: 1753-1772: The Maintenance of Community in Late Colonial North Carolina." Ph.D. diss., The Johns Hopkins University, 1982.