



South Carolina Department of Archives and History

THE COLONIAL RECORDS OF SOUTH CAROLINA

THE JOURNAL OF THE COMMONS HOUSE OF ASSEMBLY OCTOBER 6, 1757–JANUARY 24, 1761

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THE COLONIAL RECORDS OF SOUTH CAROLINA

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Benjamin Smith, Speaker of the Commons House of Assembly, April 8, 1755–April 19, 1763. Portrait attributed to John Wollaston. Photograph courtesy of the Museum of Early Southern Decorative Arts, Winston-Salem, North Carolina.

The Colonial Records of South Carolina

The Journal
of the
Commons House of Assembly

October 6, 1757–January 24, 1761

TERRY W. LIPSCOMB, EDITOR



PUBLISHED

by the

SOUTH CAROLINA DEPARTMENT OF ARCHIVES AND HISTORY

Columbia, S.C.

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SOUTH CAROLINA DEPARTMENT OF ARCHIVES AND HISTORY

FIRST EDITION

Published in Columbia, S.C., by the
Public Programs Division
South Carolina Department of Archives and History
Director: Alexia J. Helsley
Production and design: Judith M. Andrews

Library of Congress Catalog Card Number: 51-62239
International Standard Book Number: 1-880067-28-5

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Series Preface

IN THE ORIGINAL SERIES PREFACE to the Journals of the Commons House of Assembly, J. H. Easterby charged that South Carolina's past negligence concerning the publication of its original records had deprived the state of its rightful place in the history of the United States. If this criticism is less accurate today than in 1951, the change will have to be considered a major part of Dr. Easterby's legacy to the state. During his tenure as director of the South Carolina Archives Department prior to his death in 1960, the Archives began publishing letterpress editions of the more important colonial and state records series, edited according to the standards of modern scholarship, indexed thoroughly, and printed in a sturdy well-designed format.

The Commons House Journals were an obvious choice for first priority in Dr. Easterby's ambitious new publications program. The extant manuscripts of this series, preserved among the South Carolina public records for over two hundred years, contain remarkably full accounts of proceedings in the lower house of the provincial assembly. Gaps in the records occur infrequently between September 20, 1692, the date of the oldest surviving manuscript, and September 15, 1775, when the Assembly was dissolved for the last time. Since the Commons House Journals were regarded as a key to the study of all other colonial records, as well as an important original source for South Carolina history, their publication became a primary goal of the Archives Department. Under Dr. Easterby's direction, the journals covering the period from 1736 to 1750 were published in nine volumes, the last of which appeared in 1962. During the following decade, work on the journals was temporarily suspended while the Archives went through a period of growth and expansion. With the appearance of the 1750-51 Commons House Journal in May 1975, the South Carolina Department of Archives and History resumed publication of the series on a regular basis.

Future volumes will appear in chronological order until the journals through 1775 have been published. The journals of the period prior to 1708 and for the years 1724-1727 and 1734-1735 were printed in an earlier series edited by Dr. Easterby's predecessor, A. S. Salley, Jr. The plan is to ultimately

reprint these journals in volumes that will correspond in form with the others in the present series and to include the pre-1736 volumes that have never been printed. To accomplish this it has been found necessary to dispense with volume numbers and to designate each volume merely by the dates of the General Assembly.

In the earlier volumes of this series, the editorial policy was to present the texts of the journals in the same style that a contemporary printer would have used. This manner of presentation was so influenced by Dr. Easterby's individual editorial style that the present editor has found it necessary to adopt a more conventional expanded style. Otherwise, the format of the series has been left essentially unchanged. Somewhat fuller annotation is used than formerly, but no attempt has been made to supply comprehensive background information in footnotes. Aside from textual matters, the notes are intended to clarify passages in the manuscript, to encourage a perceptive reading of the text, and to cite relevant material from other records.

The printed version of the Commons House Journal essentially reproduces the complete text of the manuscript. The marginal summaries are omitted, but they are carefully checked for significant information, and are used in editing the text. Writs of election are transcribed in full on their first appearance in each volume; subsequent writs are printed in the form of abstracts. The title pages and running heads of the manuscript are replaced by new ones in the printed journal, and a new list of members done in the usual format of the series is substituted for the clerk's own list of members.

The editor's general rule is to reproduce, as nearly as practicable, the text the clerk intended to write. Obvious slips of the pen are silently corrected. Brackets are used to draw attention to words or passages accidentally omitted in the manuscript, matter reconstructed from damaged portions of the record, and any phrases supplied by the editor that a slip of the pen has left open to question. Editorial interpolations (such as "[sic]" or "[torn]") always appear in italics.

Except for rare instances where a slight change can clarify a passage, the original spelling and capitalization are retained, and a generally conservative approach is taken toward changes in punctuation. Contracted words marked by a tilde (~) or occurring at the end of a line are spelled out, but intended abbreviations of titles, honorifics, measures, names, dates, and such other words as may commonly be abbreviated today, are kept. Superscript letters are brought down to the normal line, and the symbols "y" and "ꝥ" rendered as "th" and "per," "pre," or "pro." Abbreviated common nouns are spelled out. Where some additional point of punctuation is necessary (as at the end of a sentence or an abbreviation) one is supplied, and superfluous punctuation marks (e.g., colons after non-abbreviations) are deleted.

Commas are generally added to set off short phrases in apposition to a name. Words emphasized in the manuscript are rendered in italics, except where the emphasis in the manuscript does not indicate stress. But the only significant alteration to the text is the addition of quotation marks around full titles of acts, bills, and ordinances after introduction. This practice means that the internal punctuation of the titles (often indicating chapters and clauses, and occasionally giving clues to the history of the legislation) can be retained without obscuring the narrative of the proceedings. In addition, the quotes help to clarify titles of bills that amend or repeal former legislation.

No attempt is made to reproduce the arrangement of the text on the manuscript page. Indentions are standardized, and shortened lines flushed out. Tables and lists are presented in the simplest form consistent with the sense of their arrangement in the manuscript. Short introductory phrases that are set off in the manuscript are incorporated in the succeeding paragraph (although the original punctuation is then retained to keep the sense of a pause). The positioning of datelines, signatures, and forms of address is made uniform. Verbatim transcripts of signed or dated written papers are set off slightly from the body of the text. Breaks in the manuscript are marked with three dots (less than half a line blank), six dots (more than half a line blank), or a bracketed explanation.

Texts of written papers, petitions, and committee reports have been systematically compared with copies of the same items in the journals of the Upper House and Council, and significant discrepancies have been noted.

Running heads on the left-hand page identify the session; those on the right, the date of proceedings. The house regarded the winter and spring meetings as a single session and other meetings as extra sessions. But for the editor's purpose a session concludes with dissolution, prorogation, or permission of the governor to adjourn.

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Volume Preface

THE NEW COMMONS HOUSE that convened in October 1757 showed no inclination to resume the fight over legislative privilege that had inflamed relations with the Council, exasperated royal governors, and stalled public business. As great military events transpired on the North American continent and elsewhere, the political climate changed. The British Crown's financial demands on South Carolina dampened the feud between the Commons House and His Majesty's Council. But it set the governor and Commons House at odds, and the colony's politics fell into a monotonous pattern of petty bickering.

The task that confronted Governor William Henry Lyttelton might have frustrated him even if he had been a really suave and gifted politician. By the time the newly-elected legislators assembled in Charlestown's State House, the city contained over 1,700 British troops—Royal Americans, provincials, and Highlanders—sent to defend the southern frontier against French incursions. The existing barracks had been built to house only the handful of British Independents who normally composed the Charlestown garrison. Lyttelton had to ask the Commons House for permanent quarters, bedding, and supplies for the troops.¹

Though the legislature's allowances were neither prompt nor generous, they were adequate. But the South Carolina planters' and merchants' penny-pinching habits irked the governor and the military. For instance, when Lyttelton and Lieutenant Colonel Henry Bouquet transmitted a statement of the quarters that Philadelphia had provided for the Royal Americans, the members of a house committee tartly observed that "they have not been able to Learn that it is generally Customary in all His Majesty's Dominions to make the same Provision for Officers as in Philadelphia was made for the Royal Americans; neither do they Conceive that the Practice of Philadelphia ought to be a Rule for this Province."²

The Commons House voted money for new barracks and bedding for

¹ Jack P. Greene, "The South Carolina Quartering Dispute, 1757–1758," *South Carolina Historical Magazine*, 60 (1959): 193–204.

² Below, p. 14.

the troops, but in a resolution of December 1 it refused to provide officers' quarters. Colonel Bouquet tried talking with house Speaker Benjamin Smith, but Bouquet's direct approach accomplished nothing and inadvertently undercut Lyttelton's delicate negotiations. The General Assembly adjourned on December 9 with the house intransigent, Lyttelton furious at Bouquet, and local property owners renting quarters to British officers with no prospect of payment.³

In 1758, a confrontation threatened. Provoked by exaggerated reports of the soldiers' living conditions in Charlestown,⁴ the Earl of Loudoun sent new orders to Bouquet. "Tis very extraordinary," he told Bouquet, "that after the people of that province were sensible of the Danger they were in from their Neighbours, and did apply for Troops for their Defence, that as soon as they arrive, they shoud Deny them the Common Necessaries of Life." Loudoun's letter, which Bouquet received on February 13, continued as follows.

Therefore, tis my Orders, that in Case the Assembly have continued obstinate in not furnishing the Barracks with every Requisite of Barracks, that you directly demand Quarters in Town, for as many of the Troops as you find necessary, either for the Safety of the Place or for the general Service in Carrying on the War. And if they shou'd continue so blind to their Duty . . . as to refuse you Quarters on your Application, they drive me to the disagreeable Necessity of giving you the following Order, which is, to quarter the King's Troops, by your own Authority.⁵

On February 28, Bouquet told Lyttelton that he would insist on having the field officers, captains, and staff officers properly quartered either in furnished barracks or in the town. By disclaiming responsibility for officers above the rank of subalterns, the Assembly had "made a Distinction, for which there was no Precedent in any part of His Majesty's Dominions either in Europe or America." But when Lyttelton transmitted Bouquet's letter to the Commons House, the legislators threw down the gauntlet. "That as officers & Soldiers cannot be Legally and Constitutionaly Quartered upon private Houses without the Special Consent of the Owners or Possessors of Such Houses and as the Provisison heretofore made by this House for Subaltern Officers only was a Grant of favour," the house committee retorted, "they are humbly of Opinion that this House ought to adhere to their former Resolutions."⁶

³ Below, pp. 44; Greene, "SC Quartering Dispute," pp. 198–200.

⁴Records in the British Public Record Office relating to South Carolina, SC Archives (hereinafter cited as BPRO Transcripts; these records have been published as SC Archives Microcopy Number 1), 28: 114–15.

⁵ Henry Bouquet, *The Papers of Henry Bouquet*, ed. S. K. Stevens *et al.* (Harrisburg: Pennsylvania Historical and Museum Commission, 1951–), 1: 268.

⁶ *Papers of Henry Bouquet*, 1: 313–15; below, pp. 122, 131, 135.

Here the controversy ended, for on March 10, Bouquet had received Loudoun's orders to sail for New York with the Royal Americans. Two companies of Virginians also embarked at that time, and later that spring, Archibald Montgomerie's Highlanders left Charlestown.⁷ The troops' departure averted further trouble.

Some of the departing British officers may have shared the sentiments that Captain George Mercer of the Virginia provincials had expressed in a November 2 letter to Colonel George Washington.

I find my long Stay in this Place has only encreased the very bad opinion I at first conceived of it. To say no more of it tis the most extravagant & uncomfortable Place I ever was in—upon my Honor tis with some Degree of Oconomy that I can Live here upon my Pay—The Towns People dont desire to cultivate an Acquaintance or maintain a Society with Us, so that were it not for the Harmony that subsists between Ourselves (the Officers) it would be intolerable. . . .

I assure you I long much to see you again were I safe at Home So. Carolina would be the last Place I ever woud come to.⁸

The quartering dispute was merely one of the more noteworthy episodes in a period when military expenditures dominated legislative business. The Crown repeatedly demanded that South Carolina raise and maintain troops under arms, even though Britain's major military efforts were occurring far to the north. The unit most frequently mentioned in the journal was the South Carolina Provincial Regiment authorized on July 6, 1757. Later, the outbreak of the Cherokee War led to appropriations for frontier ranger units and to the formation of the South Carolina Provincial Regiment of 1760 (Middleton's Regiment).⁹

The Cherokee Indians proved a drain on the colony's treasury whether they acted as friends or foes. When the Cherokees campaigned with the British, they demanded presents as compensation for the loss of their hunting season. Thus, in March 1758, the Commons House voted £20,000 to outfit and reward war parties going north to join General Forbes's expedition.¹⁰

Moreover, most of the accounts for building Fort Loudoun in the Overhill Cherokee Nation came before the house during the present journal.

⁷ *Papers of Henry Bouquet*, 1: 322; below, pp. 128, 175. Bouquet's orders arrived one week before the Commons House sent its defiant message to Lyttelton. No doubt the legislators knew that a showdown with the military was unlikely.

⁸ George Washington, *The Papers of George Washington*, Colonial Series, ed. W. W. Abbot, et al. (Charlottesville: University Press of Virginia, 1983–), 5: 41–42.

⁹ For an overview of the South Carolina provincials, see Fitzhugh McMaster, *Soldiers and Uniforms: South Carolina Military Affairs, 1670–1775* (Columbia: University of South Carolina Press for the South Carolina Tricentennial Commission, 1971), pp. 40–46; and Fitzhugh McMaster, "South Carolina Provincial Regiment (Middleton's), 1760–1761," *Military Collector and Historian*, 36 (1984): 118–19.

¹⁰ Below, pp. 132–33, 135–36.

The legislators handled Fort Loudoun very differently than they had handled Fort Prince George just four years earlier. Then Governor James Glen had persuaded them to forgo examining itemized vouchers; a lump sum payment of £5,000 had settled matters to the mutual satisfaction of Glen and the legislature.¹¹ Now, in the case of Fort Loudoun, they read and debated every last sum Lyttelton had spent.

The alleged reason for this thorough audit was that Lyttelton's commissary—Colonel John Chevillette—had incurred “many extraordinary charges” in connection with the fort.¹² But ever since Lyttelton took office, he had asserted royal prerogative and had attempted to exclude the Commons House from knowledge of and power over Indian policy.¹³ Perhaps Lyttelton had thereby forfeited some of the influence his predecessor had enjoyed. Whatever the legislators' motives, their meticulous reading of Chevillette's accounts provides a windfall for today's historians and archeologists, for these accounts give an astonishing amount of detailed information about Fort Loudoun.

Another expense that vexed the Commons House was the charge of carrying provisions to frontier British garrisons. The Earl of Loudoun had offered to provision the Independent Companies if the colony would pay the transport charges. Eager to be rid of the two pence sterling additional pay that South Carolina paid the Independents, the legislature accepted Loudoun's proposal. But afterwards, house members saw a July 1758 article in *London Magazine* that seemed to suggest the contractors were liable to transport the provisions. Thinking that Loudoun and Lyttelton had hoodwinked them, they demanded to see the text of the supply contract.

Lyttelton forwarded a copy and pointed out that the Crown was responsible for the carriage, and therefore Loudoun's deal with the colony still stood. The legislators fumed that “this Province ought not, by any means, to be burthen'd with the Expence of the Carriage of Provisions,” but they voted the money, anyway, “that His Majesty's Service may not suffer.”¹⁴

¹¹ Terry W. Lipscomb, ed., *The Journal of the Commons House of Assembly, November 21, 1752–September 6, 1754*, The Colonial Records of South Carolina (Columbia: University of South Carolina Press for the South Carolina Department of Archives and History, 1983), pp. 474, 527, 528, 531.

¹² Below, p. 67. Considering the reluctance the house had shown to build Fort Loudoun at all, their attitude is not surprising. The legislators believed that this fort was of peripheral interest to South Carolina and that the Crown should have financed it. Moreover, Chevillette's accounts seem to have exceeded the fixed amount that the house had voted for the fort in 1756. See Terry W. Lipscomb, ed., *The Journal of the Commons House of Assembly, November 20, 1755–July 6, 1757*, The Colonial Records of South Carolina (Columbia: University of South Carolina Press for the South Carolina Department of Archives and History, 1986), pp. xxvii–xxviii, 480, 486–87.

¹³ Jack P. Greene, *The Quest For Power: The Lower Houses of Assembly in the Southern Royal Colonies, 1689–1776* (Chapel Hill: University of North Carolina Press, 1963), pp. 321–23.

¹⁴ Below, pp. 56–57, 177, 344, 348, 426–27.

Buried among the financial dealings, an interesting cast of characters weaves in and out of the legislative minutes. Various personalities who would become prominent in the backcountry and in the American Revolution appear in these pages—some of them for the first time. Andrew Williamson, Patrick Calhoun, John Stuart, Richard Richardson, and William Thomson all appear in passing references.¹⁵ In verbose contrast, the Reverend Charles Woodmason filled five manuscript pages trying to convince the Commons House that it should support his proposed floating bridge across Black Mingo Creek. This obscure Woodmason document is one of the journal's more interesting gems, for it does not appear in the published edition of his writings.¹⁶

One key player in frontier South Carolina of the 1760s deserves greater fame than the state's past historians have given him. When the Cherokee Indians turned hostile and cut off supplies and communications to Fort Loudoun on the Little Tennessee River, Captain Paul Demere, the garrison commander, turned for help to a black frontiersman named Abram, or Abraham. This slave, who belonged to ex-Indian trader Samuel Benn, was an experienced and resourceful woodsman. Two of Demere's messengers had already been killed or captured by the Cherokees on the path to Virginia. If Abram could carry letters across the mountains to South Carolina, Demere promised his freedom as a reward.

Abram navigated the dangerous mountain passes not just once, but repeatedly, and survived the smallpox in Charlestown for good measure. Until Fort Loudoun surrendered to the Cherokees in August 1760, and the Indians massacred or captured the British troops, Abram served as the garrison's link to South Carolina. The Commons House honored Demere's bargain and freed Abram by a £500 line-item entry in the schedule attached to the tax bill passed in 1761.¹⁷

Some enterprising contemporaries spent their energies in less heroic pursuits—like war profiteering. In 1757, a house audit committee discovered that Alexander Montgomery, the Highland Regiment quartermaster, had tried to involve Daniel Dooley, the assistant commissary general,

¹⁵ Richardson had been a member of the Commons House since 1755, but the present volume documents his services in the Cherokee War.

¹⁶ Charles Woodmason, *The Carolina Backcountry on the Eve of the Revolution*, ed. Richard J. Hooker (Chapel Hill: University of North Carolina Press for the Institute of Early American History and Culture at Williamsburg, VA, 1953).

¹⁷ Below, p. 645; Commons House Journal, June 23, 1761, SC Archives; Abram's adventures were reported in the *South Carolina Gazette*, February 16, July 12, September 6, 13, 20, 1760. See also Christopher Gadsden, *Observations on Two Campaigns Against the Cherokee Indians . . . by Philopatrios* (Charleston, 1762), p. 76, microfiche reprint in Clifford K. Shipton, ed., *Early American Imprints* (Worcester, MA, 1956–83), nos. 9242–43.

in a kickback scheme. Montgomery had planned to embezzle firewood and other supplies for illegal profit, and he had invited Doyley—in an incriminating conversation Doyley reported to the house—to “go snacks on it.” The legislators indignantly referred the matter to Lyttelton for appropriate action.¹⁸

Historians reared in today’s medically-advanced society may wonder at the £3,000 reward—over 2.5% of the total 1759 colony budget—that the General Assembly paid Joseph Howard—a “doctor” with questionable medical credentials even by eighteenth-century standards, and another of the era’s enterprising characters. Howard had devised an alleged cure for “the Lame Distemper, Yaws and other Disorders proceeding from Corrupt Blood.” A house committee received testimony concerning “several Extraordinary Cures” Howard had performed, and the full house voted £3,000 for “a full and particular Discovery” of Howard’s methods and medicines. Human nature being predictable across the centuries, modern readers may assume that the formula’s purported effectiveness against syphilis enhanced its value in the eyes of the General Assembly.¹⁹

For genealogists, this journal’s interest lies not merely in great men, famous men, and interesting men, but also in the multitude of ordinary men and women who appear in its pages. Repeated expeditions to the Indian frontier led to vast requisitions for supplies. All vouchers went through the yearly legislative audits, and the clerks recorded the names of many obscure Germans or other backcountry settlers who supplied wagons, horses, or provisions. Their accounts provide a heretofore untapped source for family research.

In April 1759, Halley’s Comet blazed silver-white against the dark early-morning sky over South Carolina.²⁰ Later, some South Carolinians may have recalled the ancient superstition that linked comets with war, pestilence, and famine. Colonists—especially backwoods settlers bordering the Cherokee country—cannot have failed to note that the eighteen months following the comet’s appearance were among the most disastrous in memory. An Indian war and a smallpox epidemic burst upon the colony simultaneously. Cherokee aggression against traders, soldiers, and settlers, though justified in some Indian eyes, led the British to burn villages and crops in reprisal, and the outcome proved tragic for Cherokees as well as whites.

Nor did Charlestown go unscathed. On March 20, 1760, a correspondent in the provincial capital painted a graphic picture for a northern newspaper.

¹⁸ Below, pp. 43, 47–48, 50–51. Doyley, the son-in-law of commissary general William Pinckney, managed the commissary’s office during Pinckney’s illness.

¹⁹ Below, pp. 292, 294, 360, 365–67, 394; Joseph Ioor Waring, *A History of Medicine in South Carolina, 1670–1825* (Charleston: South Carolina Medical Association, 1964), p. 70.

²⁰ *South Carolina Gazette*, April 7, 1759.

Tis to be presumed that you will naturally expect some News relative to the present situation of this Colony, which you will, in a few Words, conceive, when I assure you, that no Description can surpass its Calamity—What few escape the Indians, no sooner arrive in Town, than they are seized with the Small-Pox, which generally carries them off.²¹

The epidemic became so widespread that at times it even shut down legislative business. For much of March and April, plantation owners fled Charlestown, and the Commons House adjourned from one day to the next because it could not maintain a quorum. With the onset of hot weather, the General Assembly finally abandoned its State House chambers. A special August session met in Edward Legge's tavern at Ashley Ferry, where the Commons House hoped to attract the country members who shunned Charlestown.²²

Other government operations malfunctioned as well. The public treasurer reported a shortfall in general tax revenue because some collectors were sick and others were afraid to enter the town. And inevitably smallpox became part of the 1760 legislative agenda. On May 30, the General Assembly passed an act to control the disease. The statute targeted the practice of inoculation—a popular but ineffective procedure which merely spread the contagion. Also, it prohibited planters from sending their infected slaves to town. This act, passed by a rump assembly of merchants and lawyers, was a rare example of friction within the merchant-planter coalition that governed colonial South Carolina.²³

No other segment of Charlestown's population suffered smallpox so severely as did the small remnant of Acadian French exiles—340 in number. In February, the Commons House asked the governor to provide them with less crowded living conditions. Even so, 115 to 130 of them perished, and the disease took its toll on the survivors. In July, a committee reported that "those wretched People suffered extremely in the late Calamity, Some of them having lost their Limbs, some their Eyes and others their Lives for want of proper Care, Necessaries and Attendance." With the Commons House inactive during the height of the epidemic, local merchant Gabriel Manigault had acted as benefactor to the Acadians, supplying them £5,235 worth of food and medical assistance.²⁴

²¹ *Pennsylvania Gazette*, April 10, 1760, quoted in John Duffy, *Epidemics in Colonial America* (Baton Rouge: Louisiana State University Press, 1953), p. 94.

²² Below, pp. 498, 754.

²³ Below, pp. 504, 511, 625–26; Thomas Cooper and David J. McCord, eds., *The Statutes at Large of South Carolina* (Columbia, 1836–41), 4: 106–9. Before Jenner developed his vaccine, eighteenth-century physicians mistakenly thought they could inoculate patients with a non-lethal form of the disease.

²⁴ Below, pp. 460–61, 462–63, 693, 712–13; *Pennsylvania Gazette*, April 10, 1760. For general background on the Acadians, see *Journal of the Commons House*, 1755–1757, pp. xi–xxi.

During the last nine months of Lyttelton's administration, his executive monopoly of Indian affairs began to come apart. Use of British Cherokee auxiliaries in the North had led to friction between Cherokee warriors and western settlers in Virginia and North Carolina. Bloodshed erupted on both sides, and caused Lyttelton to declare a Cherokee trade embargo until the Indians delivered their offenders for punishment. As war threatened, Lyttelton needed money to implement Indian policy, and he needed legislative cooperation to get it.

When the Commons House refused to comply with a Crown request for troops in July 1759, it pushed Lyttelton into his first official disclosure of the Cherokee raids. The legislators asked for and received all the papers relating to the incidents—the first such parcel the governor had transmitted to the house in more than two years. Later, Lyttelton called a special October session to raise money for a military expedition that he intended to lead in person into the Cherokee Nation. Dissatisfied with the size of the house appropriation, he pointedly referred in his closing speech to its “scantiness and insufficiency,” and labeled his critics unpatriotic. Indignant house members said his attitude constituted a breach of privilege, and accused him of violating their “free Liberty of Speech to propose or debate any Matter according to Order and Parliamentary Usage.”²⁵

Lyttelton's Cherokee expedition—plagued by disease and desertions—was an ambitious military boondoggle that failed in its attempt to awe and pacify the Cherokees. The governor's critics charged that he actually provoked an Indian war when he broke faith with a Cherokee peace delegation and made hostages of the high-ranking red diplomats who composed it. The £316,693 price of the expedition left the provincial treasury awash in red ink for the ensuing five years, but Lyttelton rationalized the cost in a letter to the Board of Trade. “The Province will not be the poorer for the Sum it shall raise on this Occasion,” he wrote, “as it is for a local Service and the money is due only to Persons who are Inhabitants of it.”²⁶

That winter, Lyttelton returned from the Cherokee Nation to a hero's welcome by the townspeople and a chilly reception by the Commons House leadership. His speech of February 7 informed the General Assembly of the latest Cherokee hostilities, but two days later, when the members of the Commons House addressed the governor at his mansion, they “omitted the

²⁵ Below, pp. 416–17, 420–21, 421–22, 422–23, 448, 450–51.

²⁶ Alan Calmes, “The Lyttelton Expedition of 1759: Military Failures and Financial Successes,” *South Carolina Historical Magazine*, 77 (1976): 10–33; Samuel Cole Williams, *Adair's History of the American Indians* (1930; reprint ed., New York: Argonaut Press for University Microfilms, Inc., 1966), pp. 264–65; George Milligen-Johnston, *A Short Description of the Province of South Carolina*, pp. 85–86, reprinted in Chapman J. Milling, ed., *Colonial South Carolina: Two Contemporary Descriptions* (Columbia: University of South Carolina Press, 1951); BPRO Transcripts, 28: 294.

common form of giving thanks for the Speech.” The governor received the address with stony silence, and the members sullenly withdrew.²⁷

If the governor and the legislature were on a collision course, further events never had a chance to unfold. On February 13, Lyttelton received official notice that the Crown had appointed him governor of Jamaica; a royal commission named Lieutenant Governor William Bull to take over as interim chief executive, and the political climate abruptly changed. The Bull appointment was so popular in Charlestown that when the Commons House drafted its farewell address to Lyttelton, it barely squelched a move by some of its members to insert a clause applauding Bull’s selection.²⁸

The first few months of Bull’s administration coincided with Archibald Montgomerie’s expedition against the Cherokee Indians. Both the Montgomerie expedition and South Carolina’s efforts to keep the Creek Indians out of the war preoccupied Bull and prompted many of his messages to the Commons House. British reluctance to commit troops for protracted warfare against the Cherokees led Montgomerie to fight an abortive campaign that left besieged Fort Loudoun with no hope of relief.²⁹ The legislature’s reaction to the expedition and its ensuing debate with Bull over strategy highlight the final proceedings of this journal.

The 1757–1760 General Assembly dissolved on August 23, 1760, by the lieutenant governor’s proclamation, but this published volume contains additional minutes for the short assembly that ran from October 6, 1760, until January 24, 1761. One week later, official dispatches reported the death of King George II, and—according to Bull’s interpretation—automatically dissolved the legislature. Unofficial word of the king’s death had already arrived, and the members of the Commons House are said to have attended the January meetings in their mourning clothes.³⁰

The 1760–1761 sessions produced only thirty-six manuscript pages,

²⁷Milligen-Johnston, *A Short Description*, p. 85; BPRO Transcripts, 28: 314. For the text of the offending address, see below, pp. 455–56, and compare the form used in the opening paragraph of the address drafted on October 11, 1757. The incident may have caused Lyttelton more embarrassment than he admitted. These opening ceremonies were reported verbatim in the local newspaper, though no reprints by gazettes in other colonial capitals have been found. See *South Carolina Gazette*, February 16, 1760.

²⁸BPRO Transcripts, 28: 268–79, 317; below, pp. 481–82, 483. Had Lyttelton remained in office, and had the house wanted to make trouble, the contingent fund would have offered the opportunity. Lyttelton’s attempts to overspend or mispend his allowance had been an issue throughout his administration, and his 1759 Cherokee expenditures had left the fund heavily in debt. See *Journal of the Commons House, 1755–1757*, pp. 492, 493; below, pp. 249, 251–53, 253–54, 531–32, 744.

²⁹Below, pp. 689, 690–91, 692, 742–44, 744–45, 747–49, 752–53. The Commons House favored an offensive policy aimed at rescuing Fort Loudoun, and in the newspaper it publicly took exception to Bull’s policy. See *South Carolina Gazette*, August 13, 1760.

³⁰M. Eugene Sirmans, *Colonial South Carolina: A Political History, 1663–1763* (Chapel Hill: University of North Carolina Press for the Institute of Early American History and Culture at Williamsburg, VA, 1966), 338.

which the clerk appended to the volume containing the preceding Commons House Journal. In this published edition, they provide a useful continuity of subject matter, as the Cherokee War became almost the sole topic for debate. Stung by the fall of Fort Loudoun and the massacre or capture of its troops, the legislators augmented the colony's military establishment and voted supplies for Lieutenant Colonel James Grant's newly-arrived British regulars. Moreover, they granted aid for victims of the war and provided for redemption of Cherokee captives.

For historians interested in the Cherokee War, the South Carolina colonial records are of uneven quality, for by the late 1750s, contemporary politics had led to erratic record-keeping. Early in his administration, Governor Lyttelton found that the clerk of the Council had been delivering its executive journals and bound Indian documents to the Commons House committee that audited the public debt. The alleged purpose was to tally the pages and pay the clerk, but the procedure gave the people's representatives unrestricted access to Crown records. Lyttelton invoked executive privilege and demanded that the Commons House either pay the clerk on oath or put him on salary.³¹

Although Lyttelton's prerogative ploy succeeded, it did little—from today's perspective—to preserve the colony's historical records. Once implemented, it removed any financial incentive to copy documents into the Council Journals. William Simpson, who served as clerk of the Council during Lyttelton's administration, produced no voluminous journals like those of his predecessor Alexander Gordon. Instead, he kept a loose file of papers that has since disappeared. And with no legislative oversight of the journals, he even omitted twenty-four pages of Cherokee War documents that the Council had ordered him to copy into the Indian Book.³²

The Commons House Journal recorded lists of enclosures to incoming governor's messages that, in effect, serve as calendars of Simpson's files. During the 1759–60 proceedings, both Governor Lyttelton and his successor Lieutenant Governor William Bull transmitted large bundles of Cherokee documents as enclosures with their written messages. The footnotes to the present volume cite other copies of the missing enclosures in collections such as the Lyttelton Papers or the Fauquier Papers. Unfortunately,

³¹ *Journal of the Commons House, 1755–1757*, p. 396.

³² William L. McDowell, Jr., *Documents relating to Indian Affairs, 1754–1765*, The Colonial Records of South Carolina, series 2 (Columbia: University of South Carolina Press for the South Carolina Department of Archives and History, 1970), p. 495n. The omission covered the period between May 1759 and February 1760. This Indian Book—the only documentary publication relating to the Cherokee War that the SC Archives has heretofore published in letterpress—contains only eight documents written after the outbreak of the war. The microfilm edition of the BPRO Transcripts contains additional documents—including a portion of the material the clerk omitted.

many of these documents have not been found, and thus South Carolina's official archive of the war cannot be totally reconstructed.

The declining health that afflicted house clerk Childermas Croft in the late 1750s did not impair the quality of his Commons House Journals. During the 1758–59 proceedings, Croft turned the journals over to acting clerk John Bassnett and left the colony, but by 1760 Croft was back on the job. Despite the problems with South Carolina's executive records of the Cherokee War, historians may at least be grateful for thorough legislative minutes.

The text of this book has been taken from volume 32 (456 pages) and volume 33 (416 pages) of the original manuscripts in the South Carolina Department of Archives and History. A few of the papers included in the 1757–61 Commons House Journal were contemporaneously printed in the *South Carolina Gazette*, but most of the material in this volume has never before been published. Another manuscript of this journal exists in the British Public Record Office, and the microfilm copy of it has been checked whenever there seemed to be errors or omissions in the Archives manuscript. Comparison has also been made with fragments of rough journals extant in the South Carolina Archives. The clerk's rough drafts exist from May 12, 1758 to February 3, 1759, and from May 28, 1760 to July 14, 1760.

The editor worked from an electronic text transcribed by Elizabeth Harrison, Sandra K. Tomes, Julie Petroff, and Sarah Prioleau.

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