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## **Minutes of the Provincial Congress of North Carolina**

### **North Carolina. Provincial Congress**

**April 04, 1776 - May 14, 1776**

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[From MS. Records in Office of Secretary of State.]

#### **JOURNAL OF THE PROVINCIAL CONGRESS AT HALIFAX, NORTH CAROLINA.**

At a Congress begun and held at the town of Halifax, in the county of Halifax, the 4th day of April, in the year of our Lord 1776.

It being certified that the following persons were duly elected and returned for the respective counties and towns, to wit:

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For Anson County—Daniel Love, Samuel Spencer, John Crawford, James Picket, and John Childs.

Beaufort—Roger Ormond, Thomas Respis, jun., and John Cowper.

Bladen—Nathaniel Richardson, Thomas Robeson, Muturan Colvill, **James Council**, and Thomas Amis.

Bertie—John Campbell, John Johnston, and Charles Jaycocks.

Brunswick— ——

Bute—Green Hill, William Alston, William Person, Thomas Sherrod, and Philemon Hawkins.

Craven—James Coor, Lemuel Hatch, John Bryan, William Bryan, and Jacob Blount.

Carter—William Thompson, Solomon Shepard, and John Blackhouse.

Currituck—Samuel Jarvis, James White, James Ryan, Gideon Lamb, and Solomon Perkins.

Chowan—Samuel Johnston, Thomas Benbury, Thomas Jones, John Bap. Beasley, and Thomas Hunter.

Cumberland—David Smith, Alexander McAlister, Farquard Campbell, Thomas Rutherford, and Alexander McCoy.

Chatham—Ambrose Ramsay, John Thompson, Joshua Rosser, Jeduthan Harper, and Elisha Cain.

Duplin—Thomas Gray, and William Dickson.

Dobbs—Richard Caswell, Abraham Shepherd, Geo. Miller, Simon Bright, and William McKinnie.

Edgecombe—William Haywood, Duncan Lemon, Elisha Battle, Henry Irwin, and Nathaniel Boddie.

Granville—Thomas Person, John Penn, Memucan Hunt, John Taylor, and Charles Eaton.

Guilford—Ransome Southerland, William Dent, and Ralph Gorrill.

Hyde—Rotheas Latham, Joseph Hancock, John Jordan, and Benjamin Parmely.

Hertford—Robert Sumner.

Halifax—John Bradford, James Hogan, David Sumner, Joseph John Williams, and Willis Alston.

Johnston—Samuel Smith, jun., Needham Bryan, jun., and Henry Rains.

Mecklenburg—John Pfifer, Robert Irwin, and John McNitt Alexander.

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Martin—William Williams, Whitmill Hill, Kenneth McKenzie, Thomas Wiggins, and Edward Smythwick.

New Hanover—John Ashe, John Devane, Samuel Ashe, Sampson Mosely, and John Hollingsworth.

Northampton—Allen Jones, Jephtha Atherton, Drury Gee, Samuel Lockhart, and Howell Edmunds.

Onslow—George Mitchell, Benajah Doty, John Spicer, John King, and John Norman.

Orange—John Kinchen, James Saunders, John Butler, Nathaniel Rochester, and Thomas Burke.

Perquimons—Miles Harvey, William Skinner, Thomas Harvey, Charles Blount, and Charles Moore.

Pasquotank—Thomas Boyd, Joseph Jones, William Cuming, Dempsey Burgess, and Henry Abbott.

Pitt—John Simpson, Edward Salter, and William Robson.

Rowan—Griffith Rutherford, and Matthew Locke.

Surry— —

Tyrrell—Archibald Corrie.

Tryon— —

Wake—Joel Lane, John Hinton, John Rand, William Hooper and Tignal Jones.

Town of Bath—William Brown.

Newbern—Abner Nash.

Edenton—Joseph Hewes.

Wilmington—Cornelius Harnett.

Brunswick— —

Halifax—Willie Jones.

Hillsborough—William Johnston.

Salisbury—David Nisbet.

Campbleton—Arthur Council.

Pursuant to which the following persons appeared, subscribed the Test, and took their seats in Congress.

Mess. Samuel Johnston, William Haywood, Elisha Battle, Henry Irwin, Edward Salter, William Robson, John Bradford, James Hogan, David Sumner, Joseph John Williams, Willis Alston, Allen Jones, Drury Gee, John Hinton, John Rand, Thomas Respis, jun., John Cowper, William Brown, George Mitchell, John King, John Norman, John Spicer, Joseph Hancock, John Jordan, Solomon Shepherd, William Thompson, Thomas Person, Memucan Hunt, John Taylor, Miles Harvey, William Skinner, Samuel Jarvis, James

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White, James Ryan, Solomon Perkins, Thomas Benbury, Thomas Jones, John Thompson, John Devane, James Coor, John Bryan, Jacob Blount, Thomas Gray, Matthew Locke, Griffith Rutherford, John Pfifer, Robert Irwin, John McNitt Alexander, William Person, Green Hill,

Thomas Boyd, William Williams, James Council, Philemon Hawkins, William Alston, John Campbell, Nathaniel Richardson and Arthur Council.

Mr. Allen Jones proposed for President Samuel Johnston, Esq., who was unanimously chosen, and conducted to the Chair, and James Green, jun., was appointed Secretary, Francis Lynaugh and Evan Swann Doorkeepers, during the continuance of the Congress.

Mr. Bradford presented a petition from the inhabitants of the town of Halifax, setting forth that Willie Jones, Esq., who was elected a delegate for said town, is appointed by the Continental Congress Superintendent of Indian Affairs for the Southern Department, in consequence of which appointment he had gone to Fort Charlotte, in Georgia, whereby the said town was unrepresented, praying leave to elect a delegate to sit and vote in Congress in the absence of the said Willie Jones, Esq.

Resolved, That the freeholders of the said town of Halifax meet on the 5th day of this instant, and elect a proper person to sit and vote in Congress until the return of the said Willie Jones, Esq.

The Congress adjourned till to-morrow morning, ten o'clock.

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Monday, April 29th, 1776.

The Congress met according to adjournment.

Read the petition of Philip Alston, setting forth the loss of a horse, mare and gun, by the Insurgents; praying relief.

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Ordered, To lie on the table.

Read the report of the committee for taking under consideration the petition of the executors of John Callaway, deceased.

Ordered, The same lie for consideration.

Read the petition of the committee of Guilford county, requiring some reward for attending committee, sitting, and disarming the Tories, &c. Rejected *nem. con.*

Resolved, That Mr Hooper, Mr Thomas Jones, Mr Samuel Ashe, Mr Penn, Mr Kinchen, Mr Caswell, Mr Person and Mr Harnett be a committee to consider and report the business necessary to be carried into execution this present Congress.

Resolved, That five independent companies be immediately raised in this Province, to consist of 1 Captain, 2 Lieutenants, 1 Ensign, 4 Serjeants, 4 Corporals, 2 Drummers, 1 Fifer, and 68 rank and file, and that the said companies be stationed at the following places, to wit: One company between Currituck and Roanoke Inlet, one company at Occacock Inlet, one company between Occacock and White Oak Inlet, one company between Bogue Inlet and New River Inlet, and one company between New River and Deep Inlet inclusive. And that the officers and soldiers of said companies shall be allowed the same pay and rations as officers and soldiers on the Continental establishment, and subject only to the controul of this or any future Congress, or to any executive power, acting in the recess of the same, to remove or disband them.

Resolved, That the following persons be appointed Captains, Lieutenants and Ensigns, to the independent companies directed to be raised viz.: James Anderson, Captain; Benjamin Bonner, 1 Lieutenant; James Wahob, 2 Lieutenant, and John Brag, Ensign, of the company at Occacock Inlet. Dennis Dauge, Captain; John Jarvis, 1 Lieut.; Legrand Whitehall, 2 Lieut., and Butler Cowall, Ensign, of the company between Currituck and Roanoke Inlet. John King, Captain; Edward Ward, 1 Lieut.; Peter McLammy 2 Lieut., and James Boston, Ensign, of the company between New River and Deep Inlet. Enoch Ward, Captain; Reuben Benthel, 1 Lieut.; Benjamin Chainey, 2 Lieut., and Charles Dennis, Ensign, of the company between Occacock and White Oak Inlets. Silby Harney, Captain; Joseph Walker, 1 Lieut.; Adam Gaskin, 2 Lieut., and James Williams, Ensign, of the company between Bogue Inlet and New River.

And that the following persons be appointed Commissaries to the said companies: John Cooper, Esq., Commissary to the companies

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stationed at Occacock Inlet, and between Occacock and White Oak Inlet. Samuel Jarvis, Esq., Commissary to the company between Currituck and Roanoke Inlets. Mr Hull Doty, Commissary to the company between New River and Deep Inlet.

Resolved, That the companies stationed on the Sea coast may be farther encouraged to exert themselves in taking armed vessels, and others which may be taken by the enemies ships of war and armed tenders, such as they take as prizes, may be adjudged to the captors, after the charges of condemnation; except vessels owned by Americans, and friends to Continental associations, &c., for which the captors shall have salvage.

Mr Hawkins has leave of absence from the Congress.

The order of the day being read for taking into consideration certain resolutions proposed as a foundation for a temporary civil Constitution—

Ordered, The same be deferred till to-morrow morning.

Pursuant to a former resolution, the following Declaration was laid before this Congress, and approved:

#### DECLARATION.

Impelled by a regard to our own safety, and the preservation of those rights and privileges which God and the Constitution have made unalienably ours, and which the power of Great Britain, with unremitting vengeance, injustice and cruelty, is labouring to subvert, we have been induced to measures which it is the object of this Declaration to explain to those who may be interested in them, or their consequences.

To other Provinces, at a distance from their own places of residence, without that circle where their personal and family influence may be exerted to the prejudice of the Continent, and of this Province in particular, we have deemed it absolutely necessary for the public safety to remove a body of men, whose residence fortune had cast in the very bowels of our country, and who, in common with ourselves, have shared the blessings which a mild and liberal provincial system of laws, a benign climate, an increasing trade, that poured riches into the lap of our honest industry, the countenance and protection of their honest neighbours held forth to them with the most liberal hand; this misguided people, disregarding the duty which they owe to that country, under the just and equal laws of

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which they have enjoyed protection, procured ample means of subsistence for themselves and their families, and possessed of a considerable property amongst us, were equally bound, by every tie divine and human, to defend and maintain the cause of liberty, which in common with ourselves, all virtuous men on this Continent, at the hazard of every thing dear to them, are labouring at this day to defend. Those men, confederating with our unnatural enemies, and taking advantage of their residence amongst us, and that confidence which such a relation necessarily created, have raised their hands against us, and endeavoured to imbrue them in the best blood of our fellow citizens. God in his Providence hath hitherto defeated their wicked machinations, and after their having experienced a shameful defeat, hath put into our possession many of the principals of them, who from the wickedness of their own hearts, and from the seduction of others,

meant to have consigned this once flourishing colony to the most abject slavery and oppression.

Those people, though subdued, still retain principles inimical to us; and are prompt, as soon as they shall be favoured by their situation, or the assistance of troops, expected every day to invade this colony, with a probability of succeeding, to attempt to carry their wishes into execution, and co-operating with a merciless administration, drench this Province in blood and slaughter.

These have been our motives for exercising a severity, which regard to the common safety, and that first principle of nature, selfpreservation, prompted. Justice demanded it at our hands, and in the anguish of our hearts, we lament the sad necessity which the frailties of our fellow beings have allotted to our share; still we wish the reformation of those who in this unhappy contest are severed from us, and from those endearing ties which nature and social connections have formed for them, and who still remain amongst us to lament the folly and wickedness of those whom we have removed from amongst them. To these we administer this consolation, that they may rest assured that no wanton acts of cruelty, no severity, shall be exercised to the prisoners; no restraints shall be imposed upon them, but what shall be necessary to prevent their using their liberty to the injury of the friends of America.

We have their security in contemplation not to make them miserable. In our power, their errors claim our pity, their situation disarms our resentment. We shall hail their reformation with increasing pleasure, and receive them to us with open arms. Then

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sincere contrition and repentance shall atone for their past conduct. Members of the same political body with ourselves, we feel the convulsion which such a severance occasions; and shall bless the day which shall restore them to us friends to liberty, to the cause of America, the cause of God and mankind.

We war not with the helpless females which they left behind them; we sympathize in their sorrow, and wish to pour the balm of pity into the wounds which a separation from husbands, fathers, and the dearest relations, have made. They are the rightful pensioners upon the charity and bounty of those who have aught to spare from their own necessities to the relief of their indigent fellow creatures; to such we recommend them.

May the humanity and compassion which mark the cause we are engaged in, influence them to such a conduct as may call forth our utmost tenderness to their friends whom we have in our power. Much depends upon the future demeanor of the friends of the insurgents who are left among us, as to the treatment our prisoners may experience. Let

them consider them as hostages for their own good behaviour; and by their own merits make kind offices to their friends a tribute of duty as well as humanity from us who have them in our power.

The Congress adjourned till to-morrow morning nine o'clock.