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HILLSBORO

North Carolina

COLONIAL AND REVOLUTIONARY

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The State, its laws, its institutions, are the rights of the individuals belonging to it; are their eternal possession; and its soil, its mountains, air and waters, are their land, their fatherland; their deeds make the history of this State; that which their forefathers have done belongs to them and lives in their memory.—*Hegel*.

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Johnston to yield also, and afterwards used it for what it was worth in securing the adoption of provisions of greater importance. He also did all the mechanical labor in the preparation of the copy of the constitution, which he submitted to Congress on December 6th, and, no doubt, it was largely due to his management that it passed the ordeal of debate and amendment with the limitation of the suffrage and eligibility to office and the independence of the judiciary, substantially unimpaired. The completed work was more nearly a practical application of the theorem, "That which constitutes the State is found rather in its culture than in the people as a mass," than a distinctly Democratic constitution, yet, no doubt, with an untrained and an almost universally illiterate population, it was better so. North Carolina may well, then, be proud of its first constitution and of those who constructed it. It is true that there was nothing original in it (for which let us be thankful, for if Goldsmith's apothegm, "Whatever is new, is always false," is correct, it is necessarily so in the science of government), but it was built wisely and well, from material already existing and not newly created for the occasion and it served its purpose, until a Democracy conscious of its power demanded its amendment.

The year 1777, the first of Governor Caswell's administration was a quiet one throughout the State and especially so in Orange County. The following Magistrates were commissioned that year: Thos. Hart, John Butler, Alex. Mebane, Sr., James Freeland, Alex. Mebane, Jr., John Hogan, Chas. Abercrombie, Robt. Abercrombie, Richard Bennehan, Nathaniel Rochester, Thos. Taylor, Richard Holleman, Eli McDaniel, Wm. McCauley, Wm. Rainey, Hugh Tinnin, Wm. Courtney, John Nichols, John Steel, John Ray, John Hawkins and Wm. Cain. The fact that with few exceptions, the above names can now be duplicated in the communities in which these Magistrates then resided, shows the immobility of the rural population of this section for the past 125 years. In May the County Court resumed its sittings, but no general court laws having then been enacted, it was occupied solely with county matters and

The first commissioners of the town after the State government was organized were William Johnston, Jas. Hogg, John Sheels (whose family name exists now at Shields), William Courtney and James Watson. Most of these names are familiar to the readers of this series of articles. William Courtney was a Quaker, or of Quaker extraction, and comparatively a recent comer to the town of Hillsboro. At this period, 1777, 1778 and 1779, he kept a tavern in the place, but was a man of parts and decided usefulness, represented the town in the House of Commons 1777 and 1778, and there took a leading and active part in the work of that body. He was, too, a magistrate and a member of the County Court. I believe nearly all of his descendants emigrated in the early years of the nineteenth century to Tennessee and Kentucky. James Watson was one of the original settlers of the place, and succeeded Fanning as Register, and was reappointed Register after the organization of the State government, but died the following year.

In the General Assembly of 1777, Thomas Hart represented the county in the Senate, Nathaniel Rochester and John Butler in the House. In May, 1777, however, Rochester accepted the position of County Court Clerk, which vacated his seat in the House, and at a special election, November 24th, Thomas Burke was returned for his unexpired term. William Courtney represented the town.

At the first New Bern session of the General Assembly of 1778, Orange had no representative in the Senate. At the second Hillsboro session, John Kinchen appeared and qualified August 13. Gen. John Butler and William McCauley, of South Orange, represented the county in the House, and William Courtney the town. General Butler, however, having been appointed entry taker, his seat was vacated April 27. Thomas Burke was elected in his stead, and took his seat at the Hillsboro session, August 10, 1778. For 1779, John Hogan was Senator, Mark Patterson, East Orange, and William McCauley, members for the county, and Thomas Tullock for the town.

The summer session of the General Assembly of 1778,

whose respect he could but desire, and its withdrawal was, to such a man, poignant agony. He seems, himself, to have had no doubt that he had done right. But all this criticism, all this doubt, all this ill-concealed contempt on the part of some and as ill-concealed exultation on the part of others was an agonizing experience to so high strung a man. He had been known as peculiarly sensitive in matters affecting his honor. He was always ready to protect it even by a resort to the code. And now he had placed himself in a position where men might say, and men were saying, that he preferred his safety to that sensitive honor which he had so frequently thrust in their faces, and that, too, on a point upon which the whole civilized world was agreed, the sacred and binding character of a military parole. The situation was intolerable. He refused to stand for re-election in April, 1782, retired to private life, found temporary relief in ardent spirits, a practice to which he had been addicted, and then attacked by disease that he had not stamina to resist, succumbed to it in December, 1783, and lies in an unmarked grave amid a clump of trees on a farm near Hillsboro. He was, according to Wheeler, only 36 years of age at the time of his death.

Says Archibald MacLain, writing to George Hooper from Wilmington, March 24, 1783, about the coming gubernatorial election: "Caswell is, as I expected, a candidate. He does not deserve it. I also suspect Nash, who has returned from Congress. But I think he has no chance of succeeding. The present Governor (Martin) has, I am persuaded, expectations. Oh how I wish for Burke with all his foibles. He would keep villains within proper bounds and call scoundrels to a strict account, but these are probably the very reasons they make against his election."

In 1780 William Courtney was Senator from Orange, William McCauley and Mark Patterson represented the county and Thomas Tulloch the town, in the Commons. In 1781, John Butler, having resigned as entry taker, was Senator, Robert Campbell and Jesse Benton commoners from the county, and Thomas Tullock from the town. William Hooper took up his residence in Hillsboro in 1782, and stood for election from the town, but