...the latter must be post paid.

THE CAROLINA WATCHMAN.

J. J. BRUNER, Editor & Proprietor.

"Keep a check upon all your Rulers. Do this, and Liberty is safe." Gen'l Harrison.

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BRITISH INVASION OF N. CAROLINA.

A LECTURE,

DELIVERED BEFORE THE NEW YORK HISTORICAL SOCIETY.

By Hon. Wm. A. Graham.

Concluded.

While the work of reconstructing the main army was pressed forward with all possible expedition at Hillsborough, the command of Davidson took up a position on Rocky River, in Mecklenburg, which, in his correspondence, he styles "Camp M'Knitt Alexander," the name of an ... and ardent patriot in that county, from which he kept up a system of observation on the British army and the disaffected districts of the country. Gen. Sumner, with another force of militia, occupied "Camp Yadkin" west of the river of that name.

Gen. Smallwood accepting the command to which he had been invited by the General Assembly, accompanied by two hundred regulars under the renowned Col. Morgan, who had now joined the Southern army, proceeded westwardly, and took command of both these brigades, a few days after the retreat of Lord Cornwallis from Charlotte. Chastising the tories, in a handsome skirmish, by a detachment of troops under Major Cloyd, at Shallow Ford, on the Yadkin, in a settlement not far from which Col. Bryan had raised and marched a regiment of loyalists, immediately after the surrender of Charleston, and joined the British in South Carolina, he advanced to the frontier of the State, on the Catawba, to watch the enemy and give support to General Sumpter, then manœuvring against Tarleton in the upper districts of that State.

General Gates, with the main army, subsequently took the same direction, and had occupied Charlotte, when he was superseded in the command by General Greene. Need I add, that the appointment of this illustrious man, (approaching, in his characteristics, so much nearer the great commander-in-chief than any other officer in that war,) to the head of the army of the South, filled all hearts with gladness and hope. The Board of War, in a correspondence which was immediately opened, expressed to him the great satisfaction upon this event, and engaged to draw forth all the powers of the State, and every necessary resource in it, to support him; "that," say they, "the command with which you are dignified, may be honorable to yourself, as well as satisfactory to the country." The transfer of the command was announced in general orders on the 3d of December.

Gen. Smallwood having been promoted to a Major Generalship, about this time left the service in the South, and Col. Davie, being out of military employment by the expiration of the enlistment of his men, accepted from the Board of War the office of Superintendent Commissary General, made vacant by the resignation of Col. Thomas Polk, and accompanied the army of Gen. Greene in that capacity through the ensuing campaign.

Having thus occasion to mention the name of General Polk, I deem it proper to correct an error into which Mr. Lossing has fallen, in his Field Book, upon the authority of the papers of General Gates, and which—unintentionally, I have no doubt—does great injustice to his memory. It is an imputation of disaffection, at the very time he held the office of Superintendent Commissary General. Fortunately, the Journal of the Board of War explains the whole matter. There is some complaint of inattention to duty on his part, in his important office, which he explained on the ground of a scarcity of supplies, and necessary attention to his family; and Col. Martin, a member of the Board to which he was amenable, having visited the army in Mecklenburg, declares, in a public letter recorded in its journals, that in his opinion, Col. Polk, under the circumstances, had fulfilled the duties of his office as well as circumstances would admit. He was immediately afterwards entrusted, by General Greene, with the temporary command of Brigadier General of militia, and in all after, as in prior time, was regarded as a firm and unwavering patriot.

Surveying his troops and supplies, Gen. Greene found himself at the head of about two thousand men, one half of whom were militia, with provisions on hand but for three days, in an exhausted country, and but a scanty supply of ammunition, which could not be replenished short of Virginia. With the quick eye of military genius, he determined to divide his force, small as it was. Relying upon Davidson's militia, to be called from their homes when the emergency might require, as a central force, he sent out Morgan, now promoted to the rank of Brigadier General in the continental service, across the Catawba and Broad rivers; while he himself led the main army to a point opposite Cheraw, on the Pedee, where he was soon after joined by the effective legionary corps of Lieut. Col. Henry Lee, the author of the "Memoirs of the War in the South," subsequently Governor of Virginia, and the Funeral panegyrist of Washington by the appointment of Congress. By this judicious disposition he secured abundant supplies of provisions for his troops, interrupted communications between the British army and the loyalists, and put it out of the power of Lord Cornwallis again to invade North Carolina, without first driving back Morgan, or leaving him in his rear. Morgan, by concert, was strengthened by accessions of militia under General Pickens of South Carolina, and Majors M'Dowell of North Carolina, and Cunningham of Georgia.

Large reinforcements, under Gen. Leslie, having been received by Lord Cornwallis, in his position at Winnsborough, he despatched a superior force, under Lieut. Col. Tarleton to oppose Morgan, himself following with the main army in the same direction. The battle of the Cowpens, which immediately followed, and in which Tarleton was triumphantly defeated by Morgan with the loss of one hundred killed, and more than five hundred prisoners, with arms, artillery and military stores, being fought in South Carolina, a few miles beyond the border, is not within the immediate scope of our subject, but it brought back the enemy into North Carolina, maddened by this humiliation of his arms, and eager for revenge. Forced to retreat from his first entrance into the State, with the sinecure Royal Governor under his escort, by the unexpected reverse at King's Mountain, and now thwarted by the sudden overthrow of the *elite* of his army by an inferior number of the republican troops, a great part of whom were militia, his Lordship resolved upon a vigorous pursuit, to rescue the prisoners of the Cowpens, and destroy Morgan.

In this manner commenced that thrilling series of military movements which was continued with the activity of a steeple chase for quite two months. The main British army lay at Turkey Creek, some twenty-five miles south of Cowpens, and Morgan may be considered to have had, by so much, the start of his Lordship, in this trial of speed. The latter moved immediately, hoping to cut off Morgan encumbered with prisoners and baggage and stores, the fruits of his victory, before he should reach the fords of the Catawba in North Carolina, for which it was presumed he would aim. Morgan, however, vigilant and wary as his great adversary, and fully comprehending his danger, abandoned his captured baggage, and leaving his wounded under the protection of a flag, on the very evening of the day of battle, set out on his retreat; his prisoners in advance, escorted by his militia, followed immediately by the regulars, under his own command. This, it will be recollected, was on the 17th of January, 1781. For twelve weary days, *nec mora, nec requies*, the retreat and pursuit were continued without intermission. Near nightfall, on the evening of the 29th, the vanguard of the royal army, under General O'Hara, gained the Island Ford on the Catawba, on the present road from Statesville to Morganton, but discovered that Morgan had crossed over with all his prisoners and forces, about two hours before. Halting and encamping on the shore, with the purpose to renew the pursuit early in the morning, the British General was tantalized by the loss of his prize, at the moment he supposed he was about to clutch it in his grasp. During the night the river was swollen by heavy rains, was impassable in the morning, and so remained for two days, at the expiration of which, Morgan's militia, with his prisoners, were far on their march towards Virginia. He himself, with his regulars, passing down the left bank of the river, to Sherill's ford, there met Gen. Greene, who having been advised of the movement of the enemy from Winnsborough, and the victory of the Cowpens, had hastened forward, with an aid de-camp and a few militia attendants, from his camp on the Pedee, to concert measures to secure its fruits, and to act against the adversary as means and opportunity might permit. The swell in the Catawba, which the pious feeling of the country could not but ascribe to providential interposition, and the consequent interruption in the pursuit of the enemy, determined Gen. Greene to dispute his passage across the river, and thus gain time for the arrival of his army at Salisbury, whither he had ordered it to hasten, under Gen. Huger, of South Carolina, and Col. Otho H. Williams, of Maryland, with the hope of there forming a junction with Morgan. In execution of this design, Morgan's light troops, joined by a few militia, were posted at Sherrill's Ford. Gen. Davidson, who, in this critical period, was ever on the alert, had called out the militia force under his command, and while watch was kept at various fords on the river, with directions to give information of the approach of the enemy, a considerable body of his troops was placed at Beattie's ford, he himself taking position at Cowan's ford, with about three hundred and fifty men, on the evening of the 31st of January. Lord Cornwallis, in the meanwhile, foiled in his pursuit, had encamped at Ramsour's mill, the scene of the action between the Whigs and Loyalists the preceding summer; and having experienced delay in his late march, from the incumbrance of his baggage, he here destroyed all that could be regarded as superflous, himself setting the example by casting into the flames the baggage of headquarters, and converted his whole army into light troops, with a view of renewing the pursuit of Morgan, or forcing Gen. Greene to an action. Thus disencumbered, he lost no time in approaching the Catawba upon the abatement of the flood, and while a feint was made at Beattie's Ford, the most public and eligible pass, by a detachment under Lieutenant Colonel Webster, his Lordship, moving with the main army in the night, was at dawn of day at the private pass of Cowan's Ford, where he had been anticipated by the vigilance of Davidson. Plunging into this bold river, which is here the fourth of a mile wide, with its waters not yet assuaged, the British troops waded through, and were received by a well directed fire from our militia; but succeeded in making good their landing, with the loss of about forty killed and wounded, including Col. Hall. On the American side the loss was inconsiderable, except in the fall of the gallant Davidson, who here sealed with his life's blood the vows of devotion and duty to his country, which he had made in the outset of the struggle, and which he had zealously maintained by five years of service in the field.

Our repulsed forces retired to Torrence's tavern, six miles distant, on the Salisbury road, where they were joined by their comrades from Beatties Ford, who retreated on hearing of their General; and halting there in confusion, and no individual assuming command, they were surprised by Tarleton's cavalry, who had been sent in pursuit, and put to rout, but without serious loss. Gen. Greene now hastened eastward to Salisbury with the troops under Morgan, and despatched orders to Huger and Williams not to advance to that place, but to unite with him at Guilford Court House, some fifty miles further east. Pressing on, pursued eagerly by the British, he crossed the Yadkin at the Trading Ford eastward of Salisbury. And here again Heaven smiled on the American cause. His cavalry forded the stream at midnight of the 3d of February, and the infantry passed in boats at dawn the next morning, a few of their wagons being cut off by the pursuers. But the boats were secured at the place of landing, and a rise in the river during the night arrested the passage of the enemy, and forced him to proceed up its western bank some thirty miles, to the shallow ford, near the village of Huntsville. Here, he received intelligence of the successful junction of the two divisions of Greene's army at Guilford Court House, and lost all hope of attacking them in detail; but being confident of his power to encounter both, he moved forward in the ardent hope of compelling them to battle before they could reach Virginia, where ammunition, supplies and recruits awaited them. His movement up the Yadkin had thrown him nearer to the upper fords of the Dan river than Gen. Greene, and enabled him to cut him off from that mode of crossing; and trusting so to overcome that distance between them as to arrest his passage in boats, he urged on his march with all possible expedition. Greene, resting his wearied troops for three days at Guilford Court House, where many of them within a month were to find their last repose, and calmly surveying his condition, determined to continue his retreat into Virginia; and, with twenty-five miles the advantage in distance, set off in a new race with the British General for the lower ferries of the Dan. Long and weary was the march—keen and close the pursuit. Organizing seven hundred suitable troops in a light corps, under the command of Col. Williams, subordinate to whom were Cols. Howard, Washington and Lee, Gen. Greene placed these in his rear, to watch and skirmish with the enemy, while the army, with its baggage and stores, should pursue its way without molestation. The British General, with a like policy, sent forward a vanguard of similar troops, under Gen. O'Hara. On their first approximation the skirmishing between these corps was brisk and active; but experiencing no advantage in their results, they were discontinued by the enemy, and often these columns of the two armies would be seen in the wide plantations by the way, moving forward at a quick step without sign of hostility, except where a curve in the road or the crossing of a stream promised some advantage to the pursuers. With a single meal a day to each army, and slight intervals for rest, the pursuit and retreat continued three days and nights. By the masterly disposition of Col. Carrington, of Virginia, the Quartermaster General of the army, who had previously surveyed this river with a view to such a result of a campaign as the present, boats were in readiness at Irwin's ferry, and the army of Greene passed over the Dan on the 13th of February. The division of Williams eluding the enemy, crossed over the next day, swimming the horses of the cavalry, and pursued by O'Hara until within a short distance of the river.

Thus ended this celebrated retreat of two hundred and thirty miles from the Cowpens, diagonally across North Carolina, into Virginia, and which composes one of the most interesting chapters in all military history. Contemplating the romantic Piedmont country through which it was made; its projecting mountains near at hand, and loftier ones in the distant view; its lovely vales and noble rivers swollen by floods—the battles and skirmishes of the two armies, and exploits of the partisan corps and individuals—literally "hair breadth 'scapes and adventures by flood and field,"—an imaginative mind could not attempt its description without bursting forth into song, and crowning its heroes with unfading amaranth. But it leaves the British General on the nothern frontier of a third of the Southern States; shall that State be added to his conquests?—Frustrated in the object of his long and wearisome pursuit, he had yet the *eclat* of a victor, in compelling his adversary to flee, and wisely concluded to make the most effectual use of this attribute. After a single day's repose he proceeded unopposed to Hillsborough, where we have seen the Legislature, and afterwards the Board of War, had been recently in session. It was, perhaps, a fortune for the State, at that time, that she had no great city to be struck at by the enemy as a vital part, and by impositions upon which general submission might have been enacted; but that her wealth and population were diffused over an extensive territory, intersected by mountains, rivers and morasses, the inhabitants of which were as little dependent on each other, except for good neighborhood and mutual defence, as they were upon the enemy. There was no permanent seat of government, and the Legislature rarely assembled in the same town twice in succession. The occupation of Hillsborough, the recent place of meeting of the General Assembly and the Governor, therefore, was of itself a circumstance of little importance. Lord Cornwallis, however, erected there the royal standard, and putting his printing press again in requisition, issued forth a proclamation, assuming to himself the air of a conqueror, offering protection to persons and property, and appealing to the liege subjects of his majesty to prove their loyalty and duty by coming to the aid of his cause, and thus contributing to restore the blessings of order and good government. This appeal, accompanied by the most rigid observance of order in the restraint of his troops from all trespass on person or property, was not without its effect upon the inhabitants of the country west of the Haw and north of Deep river, many of whom had been leaders in the resistance of the Regulation in 1771, and having been then overcome and forced to swear allegiance to the crown, were now loyalists, as much from scruples of conscience as attachment to the enemy's cause.

The quiet of the conqueror did not long remain undisturbed. After the fall of Gen. Davidson, on the 1st of February, we left his command, consisting of men from Mecklenburg and Rowan routed and dispersed by a surprise from Tarleton's cavalry, at Torrence's Tavern, six miles from the Catawba. Reassembling, after the passage of the British army, they collected a force of seven hundred men, and followed the pursuing enemy. There being differences of opinion among the field officers as to the chief command, here as in the case of Campbell at King's Mountain, on the 11th of February they elected Gen. Andrew Pickens, of South Carolina, to the head of Davidson's Brigade. This distinguished partisan officer was at the surprise at Torrence's, and had continued with these troops from that time, but without command, except of a few followers from South Carolina. Doubtless they could not have found a more skilful, gallant, and efficient leader. But the effect of this leadership has occasioned them to be mistaken by Lee and other historians for militia of South Carolina. Passing leisurely through the country after the British army, they effectually kept down the loyalists, and at dawn of day, on the morning of 18th of February, a detachment of two companies of this force, by order of Gen. Pickens, surprised and captured a picket stationed at Hart's Mill, within a mile and a half of the head quarters of Cornwallis, at Hillsborough. Retreating to a place of safety, in the direction of Stony Creek, with some five and twenty prisoners, Pickens had ordered a halt, to allow those engaged in the night's expedition to refresh themselves with breakfast, when an alarm was given of the approach of the enemy in force. Great was the joy of the camp, however, to learn that the advancing columns was not Tarleton, with his famous cavalry, in quest of the captors of the picket, but Lieut. Col. Lee, at the head of his legion, who had been sent by Gen. Greene in advance of the main army, to keep an eye upon the enemy, and prevent, if possible, the junction of any loyalist to his standard. This was the first meeting of these renowned leaders, who co-operated so actively during the residue of the campaign. Informing themselves correctly of the situation and movements of the enemy, and learning that Tarleton had been despatched westward, to encourage the loyalists beyond the Haw river, and escort to head quarters any who desired to join the king's army, they set out in pursuit, to cut off the communication, and, if possible, compel him to action. By a complete surprise on both sides, in the search for Tarleton, they came suddenly upon a body of loyalists, under Col. Pyles, who inspirited by the apparent success of the British arms, and the proclamation of their General, to take service under his flag, were on their march to Hillsborough, with that object.—Expecting to meet Tarleton, they supposed the army of Lee and Pickens to be his, until they were overthrown with terrible slaughter. Ninety lay dead upon the field, and nearly all the residue were wounded. Lee and Pickens, hurrying forward, espied the camp of Tarleton in the evening, and were at the same time joined by Col. Preston, with three hundred men from the mountains of Virginia, who, having heard of the straits of Greene's army on his retreat, were marching to join him, ignorant that he had passed the Dan. But the united forces postponing their attack until the morning, Tarleton eluded their grasp, and made good his retreat to Hillsborough.

Gen. Greene, having rested his wearied troops and replenished his military supplies, and being reinforced by a brigade of militia under General Stevens, recrossed the Dan on the 23d February, again to manœuvre with the enemy. At the same time, Cornwallis, filled with chagrin at the disaster to Pyles, in the first considerable insurrection in his favor since his entrance into the State, moved westward of Haw river, to be nearer to the settlement of the loyalists, and prevent the recurrence of a like casualty to his majesty's faithful lieges. The British General, it must be noted, throughout the campaign, had two objects in view, after failing to overtake Morgan's prisoners; the one to destroy Greene's army, the other to augment his own by recruits from among the loyalist inhabitants; and the aim of the American was as well to impress the loyalists by an exhibition of his force and spirit, as the safety of his own army and the annoyonce of his adversary. Taking position between the upper branches of Haw river, General Greene e-established his corps of light troops, under the gallant and sagacious Williams, which he kept between the enemy and the main army. In a series of interesting movements, assaults, skirmishes, and and retreats, he baffled all the efforts of his opponent to bring either division of his army to a general engagement, until the arrival of a brigade of militia, under General Lawson, from Virginia, and two brigades from North Carolina, under Generals Butler and Eaton. His force being now numerically superior to that of the enemy, he advanced to engage him in battle, and selected an eligible position at Guilford Court House. Lord Cornwallis, accepting the defiance, also moved forward to the conflict, which took place on the 15th of March, 1781, and became the assailant. Neither our limits nor your patience will allow an extended description of this, perhaps, greatest battle of the southern war. It is well pourtaryed by Marshall, Lee, Johnson, and Lossing. Suffice it to remark, that the order of battle, the sagacity, the calm self-possession, ready resource, and courage of both Generals, was admirable; that few engagements exhibit instances of greater daring and persevering bravery than were manifested by individual officers and men, and whole corps; that rarely have militia withstood the shock of veteran regulars, supported by artillery, better than did those of Virginia, under Stevens, and Lawson, and Campbell, and never did veterans in any field better illustrate heroism and discipline than the first Maryland regiment under Col. Gunby and Lieut. Col. Howard, and the Delaware troops under Capt. Kirkwood. And but for the panic which seized the two North Carolina brigades, under Gens. Butler and Eaton, who had recently joined the army, were posted in the front line of the battle, under the booming of cannon, and an approaching charge of the British under Lieut. Col. Webster, and who broke and fled with only a desultory fire; and the wavering and flight of the second Maryland regiment, under Col. Ford, late in the action, General Greene must have achieved a complete victory. At the commencement, his force numbered more than two to one of the enemy, and after the flight of the militia of Eaton and Butler, they yet stood in the proportion of 3,200 to 2,000. Well, therefore, has it been observed by Marshall, that no battle in the course of the war reflects more honor on the British troops than that of Guilford. They, however, were nearly all veterans. Those of Greene contained about five hundred of this class.—Though retiring from the carnage of the day northward, across the Reedy Fork of Haw river to the iron works on Troublesome creek, he effected his retreat in good order and safety to his troops, leaving to his adversary a "gory bed" and barren triumph on the field of battle. His loss, in killed and wounded, amounted in all to about four hundred; while that of Lord Cornwallis, according to the official account, was five hundred and thirty-two, including Lieut. Col. Webster, the Ajax of his army, a friend "whom he loved, and who leaned upon his bosom." He was mortally wounded, and died some days subsequently, in Bladen, on the march of the army to Wilmington. The Memoirs of Lee mention, that in a sharp action at Whitsell's mill, on Reedy fork, which occurred with Williams's light troops, a few days before this battle, thirty-two rifle shots were deliberately fired at Col. Webster, by some of the best mountain riflemen under Campbell, who were placed in a loghouse, with instructions to fire only at "special objects," while he led the British column across the stream; but all without effect. The termination of his life was reserved for probably a chance shot at Guilford. A similar anecdote is related of Gen. Frazier, of Burgoyne's army, who made a like miraculous escape from the fire of a selected body of American riflemen, with like deliberate aim, to receive his death wound in the engagement after the battle of Stillwater, in October, 1777.

The effect of the battle at Guilford Court House, was decisive. It drove Lord Cornwallis from North Carolina, and led to his ultimate surrender. Bestowing proper care on the wounded, with his characteristic humanity, he issued a bulletin, in the form of a proclamation, announcing the triumphant success of his Majesty's arms, and promising forgiveness of past offences, again exhorted all loyal subjects to join him in re-establishing law and order. But when he surveyed his shattered columns and thinned and crippled ranks, which had sustained a loss of near one-third, he discovered that the "victor was himself overcome," and the scene immediately changed. Thus far, his heart's desire had been a general action. To obtain it, he had strained nerve and sinew, and all the resources of military ingenuity, stratagem and skill; had marched full five hundred miles, through deep rivers and broken and ruinous roads, in heavy rains and in the depth of winter; and had denied himself and his army the usual comforts of the camp, by the destruction of his baggage, to give greater celerity to his movements; he had attained it; he had driven his adversary from a fairly fought field, and tasted the sweets of victory, but found them like "Dead Sea fruits." The loyalists had not risen to join him, as he expected, and, mortifying as must have been the fact, he discovered that the salvation of his army depended upon immediate retreat.

The indomitable Greene, on the other hand, refreshing and arraying his discomfitted forces at his first camp, after leaving the field, advanced in three days to renew the conflict, and now experienced the proud satisfaction of seeing his late exultant enemy fleeing before him to a place of refuge, and that he had delivered a State from conquest by his long suffering patience, prudence, courage, and the bravery and fortitude of his troops.

We shall not pursue the retreat of Lord Cornwallis by way of Cross creek to Wilmington, nor his march thence, nearly with the line of the present railroad, into Virginia, where, in less than six months, he was obliged to surrender to General Washington; nor General Greene in his subsequent march to the relief of South Carolina.

But there was another invasion, in a different quarter, without a brief allusion to which our task would be incomplete.

As a part of his plan for the subjugation of the State, Lord Cornwallis, about the time of breaking up his camp at Winnsborough, had sent from Charleston a land and naval force, under Major Craig, to take and hold the town of Wilmington, as a convenient port through which supplies might be furnished to his own army, which he expected to bring into communication with it. The expedition succeeded, and the town was occupied on the first of February. The only advantage, however, that it afforded to the army of invasion by land, was a convenient retreat and abundant refreshments after the disastrous battle at Guilford Court House. He reached it on the 7th of April; and on the 25th of the same month set off to unite in the attempt to overcome Virginia.

The post at Wilmington, which was occupied by about three hundred regular troops, and a numerous but varying force of loyalists, give great encouragement to the disaffected in that region of the State. From the firmness with which the republican cause had been maintained, and the more than doubtful success of the British arms in the late campaign, they had been brought to observe a prudent neutrality; but after the departure of Greene's army into South Carolina, they acquired new confidence, and became a formidable foe. A detachment of this mixed force, under the immediate command of Major Craig, traversed the country, with occasional skirmishes with the militia, as far eastward as the valley of Neuse river, and seized the town of Newbern; and the war between whigs and tories raged in the district between the Cape Fear and Pedee, with a fierceness rarely surpassed in border contests. Generals Brown, Owen, Wade, Willis, and other patriot leaders in that region, basides encountering this domestic enemy in skirmishes and assaults without number, fought with them an unsuccessful battle at Beattie's Bridge on Drowning Creek, a branch of the Pedee, and General Butler, with the militia of Orange county, met and repulsed them, but without a decisive result, at Linley's mills, on Cane Creek, in the county of Chatham.

One of the chiefs of the tory commanders, if not the head of their forces, was David Fanning, who in his correspondence styled himself "Colonel of the Royal Militia," and who has left a character in the traditions of the state associated with every crime savoring of rapacity, revenge or cruelty. Always well mounted, and accompanied by a band of kindred spirits, he swept over the country like a Camanche chief. Surprising parties of Whigs when off their guard, he often gave no quarters; or lying in ambush or pouncing upon them at their homes, he seized and murdered or tortured the obnoxious patriots, and then plundered and burnt their dwellings. By a series of bold adventures, he took the town of Cross Creeks, now Fayetteville, captured the whig militia officers of the county of Chatham, when sitting in court martial at Pittsborough; and by a sudden descent on Hillsborough at dawn of day, about the middle of September, seized and carried off the Governor of the State. He outlived the war, and took refuge in the loyalist settlement of New Brunswick, or Nova Scotia. Mr. Sabine, whose sketch of Fanning, in his Lives of the loyalists, is exceedingly brief and imperfect in illustration of his character as an outlaw, relates that when Gen. Marion of South Carolina, admitted to terms Major Gainey, a celebrated loyalist, and a party under him, Fanning was specially named as excluded from the benefits of the arrangement. This quite corresponds with the corsair name he has left to our times, in his old haunts, on the north side of the Carolina border; and caused him, with two others only, to be specially excepted from the provisions of the "act of pardon and oblivion" passed by the Legislature at the conclusion of peace.

The Governor who was so unfortunate as to become his prisoner, was His Excellency Thomas Burke, an Irish gentleman, bred to the profession ... and had had a large share in the formation of the constitution for the government of the State.—From this work he was immediately translated to the Continental Congress, of which he had been an active and conspicuous member, from December 1776, until his election to the office of Governor, in the first part of the year 1781. He appears to have left his seat in Congress, at Philadelphia, and gone as amateur to the battle of Brandywine; and his election to the chief magistracy of the State, in this crisis, is presumed to have been in some degree attributable to the energy and ardor of his nature, which might have rendered him a successful leader in the field. Being some thirty miles distant from the nearest of these marauders heretofore, he was completely surprised, and without military attendants, in a small village, was carried off without difficulty. Hurried, by long and rapid marches, through deep forests and pathless tracts of intermingled sand and swamp, threatened with personal violence, and pillaged of everything except the clothes he wore, he was delivered by his savage captors to the custody of Major Craig, on the 23d of September; and, by an outrage on every principle of justice and public law, he was committed to close confinement, under pretence that he was a prisoner of state and not of war. Being transferred to Charleston, where General Leslie was in command, he was paroled, as a prisoner, to James's Island. This island was, at this time (December, '81, and January, '82,) infested with large numbers of tory refugees, who had sought protection under the British arms, by reason of the recent success of General Greene in recovering South Carolina, and driving in their forces to the garrison of Charleston. To these Governor Burke, from his past history and official station, was an object of such deep hostility as to endanger his personal safety. To an application for a parole to his own State, or some other Southern State, or to be exchanged for an equivalent, or, if all these should be refused, then that he might be transferred to some other place for his personal safety, no direct answer was made, but he was given to understand that none of his requests could be allowed; and that, at the solicitation of Major Craig, he was to be detained indefinitely, to the end, that if the notorious Fanning, or any tory leader whom this British officer had employed, should be taken, and suffer punishment under the laws of the State, there might be retaliation upon him. It was now the seventh year of the war, and the sixth after the national declaration of independence; the American cause had recently acquired renewed confidence and stability from the surrender of Lord Cornwallis at Yorktown, which occasioned the evacuation of Wilmington by Major Craig; from the result of the battle at Eutaw Springs, and the consequent retirement of the British army to Charleston, and from the arrival of large reinforcements to Gen. Greene from the northward, under Generals St. Clair and Wayne. The individual thus subjected to degradation and insult, was a high spirited and urbane gentleman, accustomed to the observances of refined life, and the deference habitually yielded to his position. Officially, he was the First Magistrate of one of the thirteen independent States, and the third person in succession who had performed the functions of that station. In the outset of the war, Great Britain had affected to treat all Americans as rebels, without regard to their governmental organizations; and the dignified reply of General Washington to the haughty note of General Gage, at Boston, justifying such a course, in which he announces to the British Commander-in-Chief," "if your officers, our prisoners, receive from me a treatment different from what I wished to show them, they and you will remember the occasion of it," will readily occur to the reader of history upon the statement of this question. But in the progress of the contest, this pretension had been relaxed into the observance, for the most part, of rules of civilized warfare; and the duty of humanity to prisoners, and deference to their rank among their countrymen, had been recognized, not only in not enforcing close confinement, but in exchanges of rank for rank, or its equivalent. But in this instance, chicanery was resorted to, and it was alleged that although continental officers were so far respected as to be subjects of exchange, a like character could not be extended to the militia or State officers. The Continental Congress certainly had given no color to this attempted distinction; on the contrary, upon the second invasion of South Carolina in 1778–'9, when Richard Caswell, a soldier of renown, filled the Executive Chair of North Carolina, that body, at the urgent request of the delegates from South Carolina, had, by resolution, requested him to take command, in person, of the militia force he had ordered out to aid in her defence, with the rank of Major General in the continental line, and subordinate only to General Lincoln. And to negative, in the most unqualified manner, this weak pretension, Brigadier General Rutherford, of the North Carolina militia, who, we well remember, was taken prisoner at the defeat of Gates, had been recently exchanged, and returned to his own State, after a confinement of twelve months at St. Augustine, Florida.

The close confinement of Governor Burke, and his parole only to limits in which he was in constant danger of assassination, was therefore in contravention of recent precedent, as well as of all just principle, and could be vindicated only by that new version of public law, lately acted upon in the Carolinas, by which whole communities of peaceable citizens were claimed as prisoners, and each man forced to a parole of non-resistance or close confinement, and by virtue of which the lamented Hayne had been recently put to an ignominious death, by a military order, without a trial. That it did not produce retaliation, in a summary and exemplary manner, can only be accounted for by the near approach of peace, and the determination of his captivity by the act of the prisoner himself. Stung by the want of respect with which he had been treated from the day of his seizure, and the reflection that he was detained without limit of time, as a hostage for the safety of bandits and outlaws who had forfeited their lives to the municipal laws, and whose depredations were still continued in the State, under his government, he advised the most rigorous punishment on these culprits, should they be apprehended, without regard to his own safety. And being well satisfied that his own life was in jeopardy from the licentious loyalists who surrounded him on James's Island, some of whom were fugitives from justice in North Carolina, he considered his parole cancelled by the circumstances in which he had been placed by the British commander, and resolved to withdraw himself from his custody. This purpose he effected on the night of the 16th of January, 1782, after having been four months a prisoner. Having made good his escape, he two days afterwards addressed to Gen. Leslie the following letter: