

Samuel Spencer¹ to William Tryon
[with enclosure]

PRO CO 5/312, ff. 31-33
CR-VII, 722-726

Copy

Anson County
28 April 1768

Sir,

As my Duty and Allegiance to His Majesty: my respect to your Excellency's Person & sincere Attachments to your Administration prompt me to take the earliest Opportunity to acquaint you with those Matters which deeply concern the Happiness of your Administration, the internal Peace and Security of the Province, and that Trust your Excellency has been pleased to repose in me, I beg leave to mention the unparalleled Tumults, Insurrections and Commotions, which at present distract this County. There have been for some Weeks past frequent Rumours of the Objections and Oppositions of many People in this County & the County of Orange to the Payment of the Taxes now due from them. It is now beyond a Doubt that this Disaffection has been stirred up and principally promoted in this County by a certain Man, who for several Elections past of Representatives for this County has constantly set up for a Candidate of such Elections, and has been as often disappointed except once, which was some time before the last Division of this County. He seems now to have got to his last Shift; and expecting a new Writ of Election will soon be sent to his County for chusing another Representative, in the room of M^r John Crawford,² and being I doubt superior to no degree of meanness that he can think sufficient to effect his Purpose he is bent upon making his last Effort in this desperate Manner, for carrying his Election. He has not yet appeared openly in the Mob, because as some of them say he fears if he should be elected on that Plan, he would be expelled the House. In consequence of such Encouragement & instigation a considerable number of transient Persons, New Comers, Desperadoes, and those who have not paid a Tax for several Years past were prevailed upon to resist the Sheriff in Collecting the Taxes upon pretence that several parts of them were unjust. Clamours have been most industriously & maliciously raised against the Members of the Assembly, the Justices of the County & all those who have had any hand in the present Taxation. By which means many of the Unthinking & Unwary have been gulled into the Scheme of Insurrection, and Rebellion, and consequently added to their numbers, till at length matters have been Carried to that height that upon Thursday last, the first day of this Term, they came up to the Court House to the number of about Forty, armed with Clubs and some Fire Arms and before the Opening of the Court, took Possession of the Court House and soon gave out that no Court should be held there. It grew late in the afternoon, and a sufficient number of Justices not

appearing to constitute a Court, it became necessary that one Justice should open the Court & adjourn till the next Morning—I therefore declared my Resolution, as did M^r Medlock³ and some others to enter the Court House for opening the Court at all Adventures, and I proceeded about half the way from my Office to the Court House door, and was met by some of my Friends, who intreated me to desist for a few Minutes till they could inform the Mob of our full Determination to fight our way thro' them. Whereupon I was persuaded to retire to my Office where I stayed some minutes, in infinitely more Uneasiness from being entirely out of Action, than I felt in approaching the Mob, who besides their Numbers had much the Advantage of the Ground, But my Friends for that Time prevailed, and the Mob being told of certain & inevitable Bloodshed if they persisted for that we would actually force our way to the Table & the Bench gave up the point, and we came in & opened the Court without Resistance. This unparalleled Arrogance, can hardly be accounted for, but from a particular Stratagem of the intended Candidate above mentioned, and the readiness of those that Constitute the Mob, to evade the Payment of their Debts by obstructing the Proceedings at Law. But this Morning after the Court had met some Time, the Mob appeared in a much larger Number than they did the first day of the Court consisting of perhaps a hundred Men, and came armed as before mentioned to the Court House Door, made a great deal of noise & uproar, behaved very saucy and arrogant and threatened to come in and take the Magistrates off the Bench. Whereupon I went to the Door, and demanded of them what they would have. They told me they came to settle some matters in the County, for which they wanted the use of the Court House, I immediately then proceeded to read to them a Clause of the Act of Parliament of 1st of Geo. 1st against Riot & unlawful Assemblies, and procured the Proclamation therein prescribed, to be made for their Dispersing themselves &c. They seemed greatly exasperated, and lifted up their Clubs, and threatened. But as I and some others with me appeared to be on the Defensive they seemed to desist a little, and proposed that a few of their Company should come into the Court House, and in the name of the whole set forth those Grievances, they wanted to have redressed. Accordingly I retired to the Table, for the transaction of the business of my Office, as Clerk of the Court, and after some time some of them came in, and after them came all the rest. They said among other Things they desired to know what they were taxed for? Whereupon I rose up & explained to them the nature of Taxation, and whence the Reasonableness & necessity of it was derived. And proceeded to give them an acc^t of each Particular for which they were taxed by the Assembly, and then shewed them the several Articles, for which the Court had taxed them, for defraying the Charges of the County. They declared they had nothing against me for upon what I had said to them, but were dissatisfied with the several

allowances the Justices had made for raising the County Tax. Accordingly one of them having desired to speak with M^r Medlock privately he walked off the Bench, having before declared his Intention of firing the first Man thro' the Body who should offer to molest him in the Execution of his Office as a Justice of this Court. By this stratagem the only man was removed from the Bench from whom they expected any desperate Resistance. Whereupon they immediately without ceremony took the other justices off the Bench, and entirely obstructed the Proceedings of the Court. They offered no direct Insult to me, but told me they did not desire to hurt me, nor my Papers and Records. Tho' before that they had signified their design of taking the Records from me, and perusing them, till I assured them that not one of them by any means should go out of my Possession, but at the Peril of the Life of him, that should take them from me. They then proceeded to appoint some Officers among themselves, and held several Debates & Consultations, and among the rest whether they should tear down the Court House and the Gaol; The matter was very warmly debated, pro & con but as some of them chose the Court House should be where it is, and some wanted it moved, they at length agreed to let it stand, and after declaring their Resolution to resist the Sheriff in serving any Process or Collecting of Taxes, Their Right to know what Bills were sent to the Grand Jury, and their Intention to meet again at the next Court, they marched out, and soon after dispersed themselves; But not before (as I am told) they had Unanimously chosen M^r Charles Robinson⁴ their Representative to the General Assembly of this Province in the room of M^r John Crawford without giving Your Excellency the trouble of issuing a new Writ of Election on that Vacancy. Their Arrogance is insupportable and the whole County is thrown into such Confusion that I am at a Loss to tell what Measures, it will be prudent to take on this Occasion. It has been proposed to me to raise the Militia immediately & to quell the Rioters by force of Arms, but whether the Seeds of Disaffection to the Payment of Taxes are not so generally sowed thro the whole County, that few can be found to resist the Mob with Resolution & Sincerity I am at a loss to say. And whether the Appointment of a general muster, at this Juncture of Time would not be likely to give the Disaffected an Opportunity, of being more Mischievous and Dangerous than otherwise I most humbly submit to your Excellency and should be extremely glad of your Advice and Direction on this Occasion. And as I apprehend the Writ of Election is not yet issued to this County for chusing another Representative in the room of M^r Crawford, I beg leave to entreat your Excellency not by any means to send up the Writ of Election till these unheard of and surprising Comotions, have at least in some Measure subsided. For if an Election were now at hand it is hard to tell the number of ill Consequences that must inevitably follow thereupon. I hope your Excellency will excuse the freedom & plainness of this

Letter, & that the peculiar Circumstances of the Times, and the hurry of Business I am at present in will appologise for the defects and incorrectness of it. For further particulars I must beg leave to refer your Excellency to M^r Hooper who was present during the Extraordinary Transactions above related. I am obliged to a Number of my Friends who have with uncommon Firmness and Assiduity endeavoured with me to suppress the Outrages & violence of the Rabble on this Occasion particularly Col^o Anth^y Hutchins,⁵ M^r Medlock, M^r Dunn,⁶ M^r Martin⁷ & M^r Hooper.⁸ I have by some of these Gentlemen's assistance procured a List of Names of some of the Mob, subscribed to their Articles of Association and the oath they have thereupon taken, which your Excell^y finds herewith enclosed. I wait with impatience to know what measures your Excellency in your Wisdom & Prudence shall think fit to be taken in this Respect.

I am, with the greatest respect,
Your Excellencys most Obedient
and most humble Servant

Samuel Spencer

¹Samuel Spencer (d. 1794) represented Anson County in the assembly, 1766-1768. He was clerk of the court in Anson County and in 1777 was elected to be a judge of the Superior Court of Law and Equity, a position he held until his death in 1794. Spencer quarreled often with his fellow judges, and James Iredell disapproved of his courtroom demeanor and deplored his lack of legal knowledge. Spencer was a delegate from Anson County to the provincial congresses of 1774, 1775, 1776; he served on the provincial council, 1774-1776; and he attended the constitutional conventions of 1788 and 1789 where he was a strong opponent of the United States Constitution. Cheney, *North Carolina Government*, 51, 151, 153, 154, 156, 248-278 passim; Higginbotham, *The Papers of James Iredell*, I, 469n-470n.

²John Crawford's resignation as representative of Anson County was accepted by the assembly, but Tryon was reluctant to order a writ to conduct an election of a replacement because the resignation had no precedent in the British Parliament. He sought the advice of the British Board of Trade. Saunders, *Colonial Records*, VII, 655-656, 690, 692, 698, 722, 725, 788.

³Charles Medlock was one of the public officials who aroused the ire of the Regulators in Anson County. He served as a justice of the peace, assemblyman, sheriff, and had presided at court. A colonel in military rank, he was a patriot during the American Revolution. Richmond County was formed from Anson in 1779, and for a period of about eight years Medlock represented Richmond County in the assembly, most of the time as a senator. Cheney, *North Carolina Government*, 204, 206, 208, 209, 214, 217; Saunders, *Colonial Records*, VII, 723-728 passim, 807, 808, VIII, 255, X, 205, 530.

⁴Anson County had been created in 1750; Caleb Howell and Charles Robinson were seated in the assembly as representatives in September, 1751. Robinson served again in 1760, 1761, 1771, 1773, 1774. Cheney, *North Carolina Government*, 44, 46, 47, 53, 54, 55, 88n.

⁵Anthony Hutchins (Hutchings) aroused the hostility of the Regulators by virtue of his activities as sheriff of Anson County. He also served as an assemblyman for a number of terms, 1754-1761; he was again elected in 1761 "but was Sheriff of the said County at the time of his Election, [which] disqualifies him for a member of the county aforesaid" (Saunders, *Colonial Records*, VI, 675). Cheney, *North Carolina Government*, 44, 46, 47, 48, 49, 89n; Saunders, *Colonial Records*, VI, 675, VII, 807-808.