CHAPTER THIRTEEN

CONCEIVING AN ANGLO-AMERICAN PROPRIETORSHIP: EARLY SOUTH CAROLINA HISTORY IN PERSPECTIVE[1]

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The Carolina proprietorship, assembled towards the end of 1662, provides an almost stereotypical case study of the rationale and limitations of this popular form of early modern colonization. The government of Charles II (1660–85), lacking the resources and, arguably, the desire to engage itself directly in overseas settlement, delegated responsibility for building a colony in territory ranging from thirty-six degrees north latitude south to Spanish Florida to eight "true and absolute Lords and Proprietors": Edward Hyde, earl of Clarendon; George Monck, duke of Albemarle; William, earl of Craven; John, baron Berkeley of Stratton; Sir Anthony Ashley Cooper (later first earl of Shaftesbury); Sir George Carteret, Treasurer of the Navy; Sir John Colleton, Barbados planter; and Sir William Berkeley, governor of Virginia.

In addition to title to the soil and rights in adjoining waters and in any mines, the grantees received powers, in the manner of those exercised by palatine Bishops of Durham, to create courts, laws, "Assemblies of Freeholders," and constitutions, to recruit migrants (and to naturalize same), to conduct trade with Indians, to conduct trade, to grant titles of nobility, to charter municipalities and build fortifications, to maintain an army, and to permit liberty of conscience while undertaking the ecclesiastical authority of the Church of England. In exchange, the Crown claimed the customary one-fourth of any gold and silver found in the province and a yearly rent of twenty marks.[2]

[1] This essay derives from my book-length history of South Carolina's proprietary period, Roper, *Conceiving Carolina*. All dates from the sources are rendered "Old Style."

[2] Parker, *North Carolina Charters and Constitutions*, pp. 91–104, contains the revised 1665 charter.

The proprietors initially focused their attention on the northern part of their province, envisioning that, thanks to its location, it would prosper by drawing settlers and commerce from other colonies thereby minimizing risk and expense to themselves. By 1665, they had engaged the interest of planters on Barbados, keen on alleviating overcrowding on that island, whilst migrants from New England made their way to the Cape Fear region. Unfortunately, these green shoots could survive neither the Second Anglo-Dutch War, the 1665 outbreak of plague, the Great Fire of London, and political disgrace (Clarendon) and enfeeblement (Albemarle) of various proprietors nor the corresponding disputes that cropped up amongst the settlers over proprietary intentions, especially in terms of land grants.

The remaining Lords started over again in 1669, this time under the leadership of Ashley and with their attention primarily devoted to their lands "south and west of Cape Fear." In doing so, they now sought to establish direct migratory and commercial links between the colony and the metropolis, sending a "first fleet" from London to Carolina via Barbados. The settlement founded at Ashley River would, in accordance with the thinking of Richard Hakluyt and his disciples, produce "wynes, oyles, and silkes," along with other commodities exotic to England—a plan directly encouraged by relief from customs duties as set forth in the charter. The incomes generated from this agriculture, along with the guarantees of property rights and religious toleration codified by the proprietors in the Fundamental Constitutions they devised for their province, would attract further migrants.

The "Fundamentalls" may not have formally succeeded in their primary purpose of promoting settlement, especially of the "weightier sort," but their status as the written socio-political vision of colonizers—Ashley, most particularly—makes them distinctive in the annals of English overseas expansion. Amidst the provisions for courts-leet and an array of aristocratic titles, long regarded by historians as fanciful, the constitutions, most importantly, delegated in writing primary responsibility for governing the colony onto the shoulders of the colonists, specifically those appointed as deputies by the proprietors, just as the charter itself expressly delegated responsibility for the province to the Lords themselves. This maneuver, on the one hand, reflected the impracticality, thanks to distance and the press of other matters, of trying to maintain strict proprietary oversight; on the other, it coincided with the still-strong identification of

many English people of this time of their locality as the main component of government.

Yet, in the end, the settlers never ratified the constitutions (after delaying implementation of the original 1669 incarnation due to the tiny number of colonists, the proprietors offered amended versions in 1682 (twice) and 1698) that ran afoul of the endemic political tumult of the proprietary period. These convulsions, which culminated in the rebellion that overthrew the proprietors in 1719, have generated the perception of the Lords, with the sole exception of Ashley, as neglectful and of the concept of proprietorship in its Carolina context as anachronistic.[3]

Unquestionably, proprietary South Carolina endured the birthpangs associated with the founding of Anglo-American colonies: disease, disappointment, war with Indian neighbors, the introduction of race-based slavery, economic instability, population shortage, and, aggravating all these problems, factional politics. These factions, we have been told, centered on the "Goose Creek men," purportedly Barbadian Anglicans, who came to dominate South Carolina's government shortly after the colony's founding: they battled with Dissenters and opposed the proprietors, especially their policy of religious toleration, for almost a quarter-century while they enriched themselves through the Indian slave trade. After agreeing a truce in 1695, the Lords, in 1703, moved to establish the Church of England, with Goose Creek support thereby causing a political realignment in which the Dissenters successfully obstructed proprietary will.[4]

Unfortunately, this characterization, and its corresponding emphasis on "opposition" to the Lords and inevitability of "revolution" in South Carolina, overlooks a fundamental reality both of colonial politics and of "empire-building": we have no evidence that the proprietors sought to "force their wishes upon the colony" even had they possessed the means to do so. On the contrary, the evidence indicates that the Lords, in accordance with geographical and political practicalities of their situation as well as the still-prevalent English emphasis on local rather than central administration, consistently

[3] Sirmans, *Colonial South Carolina*, p. 128; Weir, *Colonial South Carolina*, pp. 71, 102; Moore, "Royalizing South Carolina," p. 437.

[4] Sirmans, *Colonial South Carolina*, pp. 17–18.

encouraged their settlers to undertake primary responsibility for governing South Carolina.[5]

In the first instance, the proprietors never articulated a "policy" for their colony nor did a "proprietary party" ever form in South Carolina. Certainly, the Lords subsidized the promotion of their colony; these advertisements lauded the climate, the protections offered to estates by the Fundamental Constitutions, and the existence of religious toleration.[6] Indeed, the latter, codified in both the charter and the Fundamental Constitutions, attracted a relatively substantial number of migrants during the proprietary period. Yet, notwithstanding the lack of enthusiasm of Ashley and is secretary, John Locke, for the established church, we have no evidence that this attitude translated into an active encouragement of the heterodox to venture to Charles Town. Indeed, the impetus for migration seems invariably to have originated with the migrants themselves, whether English, Scots, or Huguenots.

A great deal has been made about proprietary efforts, generally unsuccessful, to collect the quitrents due from colonial landholders. On the one hand, the inability to enforce collection demonstrates the feebleness of the Lords; on the other, the demands purportedly indicate their desire to profit from their colony. These claims are both exaggerated: notwithstanding the natural desire to avoid paying their rents (which did not fall due until after 1682), the Carolinians did agree to pay up in 1695 and another rent-roll was compiled as late as 1714. In addition, while the Lords undoubtedly wanted to wean the colony at the first opportunity, we have no indication that they ever expected a return in excess of their investment. They

[5] The most recent study of "Empire and State" in the British Atlantic World, for instance, makes no mention of proprietorships or of individual proprietors and makes only passing reference to joint-stock companies in the course of its not altogether convincing attempt to characterize "the beginnings of empire" for the English as "closely tied to foreign policy," Elizabeth Mancke, "Empire and State" in Armitage and Braddick, *The British Atlantic World*, pp. 175–95. All of this effort in the study of the "British Empire" comprises one front in the ongoing struggle to characterize the European "peopling" of the Americas as both a crucial aspect as well as a further manifestation of "modernity," Greene, *Pursuits of Happiness*; Gordon S. Wood, "The Creative Imagination of Bernard Bailyn" in Henretta, Kammen, and Katz, *The Transformation of Early American History, Society, Authority, and Ideology*, pp. 16–50.

[6] Ferguson, *The present state of Carolina*; Gascoyne, *A True Description of Carolina*; Wilson, *An Account of the Province of Carolina*; Archdale, *A New Description of that Fertile and Pleasant Province*.

repeatedly pointed out their intention that all moneys collected from quitrents should go to the payment of officials in the colony not to London.[7]

The lack of a proprietary policy must mean the disappearance of the notion of a proprietary party. In terms of politics, the Lords anticipated that the local aristocracy, which held the titles of landgrave and cassique, would serve as the points of contact between themselves and their colonists. These men would serve as justices of the peace, sheriff, and members of parliament and maintain the desired balance of liberty and order. They would also minimize the potential impact of proprietary distraction, disability, and death.

The preparation of several versions of the Fundamental Constitutions in itself reflects a continuing willingness to work with leaders in Charles Town, rather than colonizers and colonists at loggerheads. In the first place, even though the Carolinians failed to ratify any of these proposals, they took effect in spirit. Then, rather than attempting to compel the acceptance of the "fundamentals," the proprietors invariably yielded to the concerns of their settlers.[8] We should consequently consider this "success" of the planters not as opposition to the proprietors (for no rebellion against proprietary authority broke out prior to 1719) but as a measure of the continued flexibility of the Lords and of the socio-political system they created.

In addition, the interpretation of the proprietary government as doomed to oblivion leaves a number of central questions unanswered and makes it difficult to bring the political character of the period into proper focus. How did factions come to form? Why was no violence attempted against the regime in 1689, as in New York or Maryland? Why, if their rule was so inept and unpopular, did the proprietors retain their government for a term surpassed for such enterprises only by the Penns in Pennsylvania and the Calverts in Maryland? And why did people move into and out of favor with the Lords throughout the proprietary period? Most of the leaders of

[7] "Ledger of quit rents collected by J. Archdale in Carolina" (1696), CO 5/288/124 (loose sheets folded in back of entry book), "NA"; Rent-roll, 19 March 1714, CO 5/292/73, PRO. All dates from the sources are rendered "Old Style." *Cf.* Ackerman, *South Carolina Land Policies*, pp. 27, 39, which argues that the proprietors sought to "profit" from land grants.

[8] Lords Proprietors to Governor Joseph Blake and Council, 21 September 1699, CO 5/289/73–74, NA.

Carolina received, at one point or another, commissions granted by the Lords; how and why, then did some of these people drift into "opposition"?

The answers come down to this. If we shear away the presumption that politics and society in early South Carolina had to adhere to the will of the Lords in order to regard the proprietorship as a "success," it becomes apparent that proprietary rule essentially worked within the context in which it was created. Historians of early modern England have demonstrated that English folk in the seventeenth century did not have an inherent predisposition for opposition to the central government. While political disagreements and factional contests were part and parcel of that world, certain vital political and governmental institutions of the day—the Parliament, the Councils of the North and of Ireland, the assize courts—served as the ligaments which bound the body politic. These were designed to promote contact between the center and the local authorities of the realm, to connect monarch and subject, and to serve as forums for negotiation and reconciliation. At the same time, however, the shifting membership of various patronage networks which formed for personal, political, and religious reasons continually hamstrung efforts to maintain equilibrium in England. The Carolina proprietorship was itself designed to serve as such a ligament as the charters granted to the proprietors clearly indicate.[9]

Moreover, the Lords themselves, highly experienced travelers of the fierce religious, political and commercial byways of Restoration London and veterans of the British Civil Wars, knew all-too-well the pitfalls that plagued seventeenth-century governments. Every one of these was aggravated, in Carolina's case, by the distance between Whitehall and Charles Town and the problems presented by an Atlantic voyage. Under the leadership of Ashley, they moved to deal with the inevitable emergence of the political realities of the day in their colony as well as to improve, through written provisions to be approved by the settlers, on the English model. They hoped, through their unique Fundamental Constitutions, to codify the roles and responsibilities of everyone involved in the settlement. These guarantees, in turn, would attract the "weightier sort," landed gentlemen, upon whom the Lords had to delegate authority.

[9] Cust and Hughes, *Conflict in Early Stuart England*; Parker, *North Carolina Charters and Constitutions*.

Thus, Ashley, his fellow proprietors, and Locke designed a government that provided the balance necessary to preserve liberty and prosperity as well as ensured the preeminence of landed estates, still the barometer of socio-political status in England at this time (preamble).[10] And it codified a hereditary American aristocracy—landgraves and cassiques—with attendant privileges and estates (Sections 6 and 17) as well as customary responsibilities.

Of course, the landgraves and cassiques occupied their places in parliament—the ceremonial gathering of the "estates" of the commonwealth (Sections 71–72) as well as the defender, in the view of future Whigs like Ashley and Locke, of the liberties and property of the subject against executive absolutism. The landgraves and cassiques were also to act, crucially, as proprietary deputies "who shall have the same power, to all intents and purposes, as he himself who deputes him" (Section 56). In addition, each proprietor was to choose councilors to serve in the various courts (Sections 28–31, 33–49) and on the grand council (Sections 50–55) as well as assistants who were also to serve as judges (Section 28). The Constitutions also provided for the lesser offices—justices of the peace (Section 63), jurymen (Sections 66–69), sheriffs (Section 28), registers (Sections 81–90), constables (91), mayors and aldermen (Section 92)—which had their counterparts in England.

The customary patron-client theme fell into place immediately as the leaders of the "first fleet" began sending back grievances to the Lords practically as soon as they set foot in America. Officials on the scene exercised the wide latitude that had been delegated to them but, when greater difficulties emerged, they went to the proprietors. The record contains innumerable instances.[11]

Colonial clients knew what their proprietary patrons across the Atlantic expected and we have evidence that at least some of them gave a strong impression of trying to meet those expectations. The leaders of seventeenth-century South Carolina shared a common understanding of politics and social structure with their metropolitan

[10] All references to the Fundamental Constitutions are to the 1669 edition of the Fundamental Constitutions as reproduced in Wooton, *The Political Writings of John Locke*, pp. 210–32.

[11] *E.g.*, Locke Notebook, c. 30, Locke Mss.; Maurice Mathews to Sir Peter Colleton, 1681, photocopy, folder 30–04, "Mathews, Maurice," South Carolina Historical Society, Charleston, SC (original in Pinckney Papers, Library of Congress).

counterparts; they even established connections with Restoration political figures. Thus, prominent Carolinians, such as Maurice Mathews, leader of the notorious "Goose Creek men," could and did move into and out of favor with patrons, such as the proprietors, while looking out for themselves. Correspondingly, the ability of the Lords to maintain order, like the crown's in England, rested on the abilities and agendas of their appointees. Unfortunately, the character of appointees, aggravated by the problem of distance, often proved lacking. In addition, Ashley's involvement in metropolitan politics largely prevented him, as he could not have foreseen in 1669, from overseeing Carolina affairs after 1672: the third Anglo-Dutch War, followed by his intensely personal struggle with Thomas Osborne, earl of Danby, which landed him in the Tower, followed, in turn, by the Exclusion Crisis and the Popish Plot, then counter-plots (in which Carolina came to be involved tangentially), flight to the Netherlands, and death in January 1682/83.

By that time, the Goose Creek men had found the best opportunities in Indian slavery and supporting piracy. These activities might be termed "anti-proprietary" to the extent that the former activity seemingly interfered with proprietary control over the Indian trade and the latter, as a violation of a royal decree, threatened the Lords" charter. Yet, Mathews and his cohort held authority from the proprietors to manage Indian affairs; they operated under cover of proprietary interest rather than against it.[12]

In any event, the proprietors took steps against, among others, Mathews and his associates Andrew Percival, Robert Quarry, and James Moore, ordering their removal from office and greater vigor against enslaving Indians and harboring pirates. This crackdown, however, generated resistance, not in the form of rebellion (which we might expect if the Goose Creek men had been truly anti-proprietary), but resistance: they opposed the implementation of the 1682 version of the Fundamental Constitutions and they hobbled

[12] Earl of Shaftesbury to Andrew Percival, 6 June 1682, PRO 30/24/7/505, NA; Articles of Agreement between the Earl of Shaftesbury and Andrew Percival, 23 April 1674 and 2 June 1680, Papers of the Lords Proprietors in the Earl of Malmesbury Papers, Hampshire Record Office (photocopy in Special File, South Carolina Department of Archives and History, Columbia, SC); "Joynt account belonging to the Rt Honble Anthony Earl of Shaftesbury and Mr Andrew Percival" [1674–1680], Wimborne, St Giles, Dorset, Hampshire Record Office (photocopy in South Carolina Department of Archives and History).

Governor James Colleton in the aftermath of the Spanish attack on the Scottish settlement established at Stuarts Town near Port Royal in 1686.

This resistance stemmed from the fears of Mathews and friends that organized migration from Britain and the formal establishment of constitutional government threatened their political and economic position which rested on their control of the Indian slave trade and which relied on warfare in Carolina's hinterland to provide a continuing supply of slaves. The expansion of settlement crowded out the indigenous allies of the Goose Creek men while some new arrivals, such as Lord Cardross, the leader of the Scots colony, became trade rivals. At the same time, a government controlled by their enemies, whose numbers included most of the nascent provincial aristocracy could have taken effective steps to bar the illegal enslavement of Indians and broken the power of the "dealers in Indians."

With nothing short of control of the colony at stake, Mathews resorted to treachery and blackmail: he provoked the Spanish into the attack that destroyed Stuarts Town along with the coastal plantations of his enemies closer to Charles Town and pressured Sir Nathaniel Johnson, the non-juring governor of the Leeward Islands who had "retired" to his Carolina plantation at the "Glorious Revolution," into joining the Goose Creek men by threatening to reveal an alleged treacherous correspondence between Johnson and the governor of Martinique. He then led the clamor for an attack on St Augustine, another of his competitors for commerce with indigenous folk, to avenge the destruction of Stuarts Town. The unforeseen appearance of a new governor with a brief to deal with the pirate problem, James Colleton, who declared martial law, averted this attack, which could have cost Colleton's predecessor, Goose Creek foe Landgrave Joseph Morton, his head, as it would have violated the peace treaty in effect between England and Spain.[13]

The coincidental arrival of the proprietor Seth Sothell in Charles Town in 1690 enabled the Goose Creek men to stage a coup against those who had sought to interfere with their operations locally, including Colleton, Morton, provincial secretary Paul Grimball, Landgrave Thomas Smith, and the remaining Scots. Sothell, by virtue of his

[13] [Sir Peter Colleton] to Lord Cardross, [1687], in Dunlop, *The Dunlop Papers*, pp. 45–46.

status, assumed the governorship, dispossessed deputies and other officeholders and replaced them with his own supporters, seized the provincial records, and reopened trade with pirates. The ensuing uproar obliged the Lords to recall their partner, to reform the government by suspending the Fundamental Constitutions and reconstituting the council, and to order a general inquiry. Percival and Mathews eventually returned to England, possibly to rebuild their bridges with the Lords (both were dead by 1695), Quarry moved to Pennsylvania, and Moore returned to proprietary favor by paying his quitrents.[14]

Significantly, after hearing of the Lords" displeasure at his behaviour, Sothell ultimately agreed to "submit to their instructions for the government" without fomenting an insurrection. The proprietors ordered the removal of "the pretended deputies," suspended Sothell from office and recalled him, reinstated their deputies and the officeholders under Colleton, and granted a full pardon to Sothell's adherents. The disgraced Governor returned to England and no one, "Goose Creek man" or otherwise, rebelled against the restoration of the status quo pre-Sothell.[15]

An intriguing letter from a gout-ridden Landgrave Thomas Smith shines a shaft of light on the character of the factions of this period. Early in 1688, Mathews, frustrated at this time by Colleton's declaration of martial law, had withdrawn to Cat Island, north of Charles Town, to form an alternative government. This move generated a dispute over the boundaries set forth in the proprietary charter that required an examination of that document as well as perhaps an appeal to higher authority in England: the Reverend William Dunlop, one of the leading lights of the doomed Scottish settlement, took ship to London to press the case of the Colleton government against Mathews' claims of independence. According to Landgrave Smith, the Goose Creek men plotted with Thomas Spragg, captain of *HMS Drake*, to maroon Dunlop on Jamaica to prevent him from exposing them to the proprietors and to Lord Cardross. Spragg himself was an agent of Admiralty secretary Samuel Pepys who, along with his patron, James, duke of York, had been targets of the Whigs, includ-

[14] Sirmans, *Colonial South Carolina*, pp. 45–54, provides an account.
[15] Lords proprietors to Seth Sothell, 13 May 1691, in Rivers, *A Sketch of the History of South Carolina*, pp. 416–17.

ing the proprietor Sir Peter Colleton, during the Exclusion Crisis and the Popish Plot. They had responded in kind, leaving no stone unturned in pursuit of their enemies. Spragg found occasion to send a "packquet" of documents to his superior and friend, Pepys, warning of the activities of his "Enymy," Sir Peter Colleton, and his friends in Carolina.[16]

A sketch of the "Goose Creek men" further indicates the fluid careers of its members. Mathews, the "Governor of Catt Island," arrived in South Carolina with the "first fleet" of English settlers in 1670 and received Ashley's commission as deputy on 15 December 1671.[17] In 1681, he received instructions from the proprietors to establish a beaver trade with the Indians and the Lords appointed him to the vital office of Surveyor-General. By 1683, Mathews had run afoul of the proprietors who dismissed him as deputy.[18] The following year he lost all of his offices for acting as "ye Ringleader" in enslaving and waging war on "the pore Indians."[19] To the Lords" irritation and dismay, however, Mathews was soon returned to the council and, apparently, was recognized as a deputy. They regarded his selection as "an encroachment" and Mathews was "to be instantly dismissed."[20] However, in 1686, at the time of the Scottish settlement, they gave him 1,000 acres of land "at the nominal rent of one ear of Indian corn" for his services "in purchasing land of the Indians."[21]

Percival first came to South Carolina in 1674 charged with overseeing the development of Ashley's plantation at St. Giles Edisto and with managing his patron's share of the Indian trade.[22] He went to England on two occasions to review accounts with Ashley; each time

[16] Landgrave Thomas Smith to William Dunlop, 5 February 1687/88, Dunlop Papers, MSS. 9250, National Library of Scotland). This "packquet," unfortunately, remains at large, Thomas Spragg to Samuel Pepys, 17 April 1688, Ms. Rawlinson A 186 f. 265, Bodl. Lib.

[17] Lord Ashley to Maurice Mathews, 15 December 1671, *Shaftesbury Papers*, pp. 362–63.

[18] Letter, signed Craven, Bath and Colleton, 6 Nov. 1683, in Sainsbury, *A List and Abstract of Documents Relating to South-Carolina*, p. 110.

[19] Lords Proprietors to Sir Richard Kyrle, 3 June 1684, Sainsbury, *CSP AWI*, 27 vols., XI, no. 1722, pp. 645–47.

[20] Lords Proprietors to Governor Joseph Morton, 9 September 1685, CO 5/288/64–66, NA.

[21] Sainsbury, *CSP AWI*, XII, no. 961, p. 271.

[22] "Instructions to Mr Andrew Percival," 23 May 1674, *Shaftesbury Papers*, pp. 439–45.

his commission was renewed.[23] Back in the colony, he became register of Berkeley County and, in 1680, provincial Secretary; he also received a warrant from the proprietors for 1,000 acres of land in 1685.[24] By 1693, though, Percival had earned the censure of the Lords for supporting Sothell.[25] He died in 1695 apparently before he had time to regain favor.

Quarry, who also served as a deputy, held a variety of important positions—Secretary, Clerk of the Crown, Receiver, Escheator, and, briefly, Governor. Yet, although he apparently ignored instructions (particularly with respect to pirates), harassed the Scots settlement at Port Royal, and failed to communicate generally, he continued to receive employment from the Lords. Even after they had dismissed from his series of offices for various offenses, they entrusted him with a commission in 1697 to deliver an "exemplification of their charter" to Virginia in order to settle a boundary dispute with that colony.[26]

Moore came to the colony around 1675. In 1683, he, along with Mathews, "contemptuously disobeyed orders" for which offense the proprietors "thought proper to put them out of their office as deputies."[27] Ten years later, Moore became "one of the principal opposers of the payment of rents." But, to the satisfaction of their Lordships, he came to terms leading them to "hope the rest will follow his example."[28] Moore became Secretary in 1699; shortly thereafter, he communicated a plan to Edward Randolph to operate mines in the western part of the colony "if he could be secured against the lords proprietors claim."[29] In the end, nothing came of this nor did the Lords hear of it since they subsequently appointed Moore

[23] "Joynt Accounts between the first Earl of Shaftesbury and Andrew Percival," 2 June 1680, photocopy, South Carolina Department of Archives and History (original manuscript at St. Giles House, Dorset).

[24] *Shaftesbury Papers*, p. 440n; Lords Proprietors to Governor Joseph Morton, 1 Oct. 1685, Sainsbury, *Collections*, pp. 99, 103, 115.

[25] Lords Proprietors to Colonel Philip Ludwell, 12 April 1693, CO 5/288/227–31, NA.

[26] Lords Proprietors to Governor Sir R. Kyrle, 9 June 1684, Sainsbury, *CSP AWI*, XI, no. 1733, p. 650; Lords Proprietors to Thomas Harvey, 22 Dec. 1697, Sainsbury, *Collections*, p. 143.

[27] Lords Proprietors to Seth Sothell, 6 November 1690, Sainsbury, *Collections*, p. 110.

[28] Lords Proprietors to Thomas Smith, Esq., 19 May 1694, Sainsbury, *Collections*, p. 136.

[29] Moore to Randolph, 1 March 1698/9, Sainsbury, *Collections*, pp. 208–09.

to several important offices, including Chief Judge, (1700–01), Receiver General (1702), and Attorney General (1703).[30]

Thus, the "Goose Creek men" trimmed their sails. But we still do not know precisely why people like Mathews and Percival, who came from England and who began their colonial careers as proprietary representatives, or Moore, who came from Barbados and moved in and out of favor, behaved the way they did except, obviously, to pursue what they regarded as political advancement for themselves. The pursuit of a personal agenda required an attachment to patrons who would provide the means, such as office to solicit, in turn, their own clients. Considering this obvious reality, what characteristics did these men possess which led the proprietors to appoint them in the first place? Why did the Lords persist in restoring them to favor? Since the record remains exceedingly sparse, the likeliest conclusion remains that, their Lordships, as the center of the Carolina socio-political world, continued to command the deference of those who sought preferment in good early modern fashion. Ambitious members of the Carolina elite moved in and out of power as their counterparts in England, Scotland, and Ireland did; when opportunity for private advancement at the expense of the central authority arose—Indian slavery, trading with pirates, searching for mines—they seized it. If the central authority (the proprietors) found out and became sufficiently agitated to order the dismissal of wayward officials from office, then those were the risks of the game. But the Lords depended on their servants in Charles Town just as the crown depended on its servants in the shires; a certain amount of private interest was expected in government. So long as their behavior was not egregious and/or treacherous, those who juggled their duties to their superiors with their duties to themselves successfully continued to reap the profits of power. In short, Carolina politics did not differ greatly from its counterparts throughout the first British Empire; leading colonists did have the advantage of distance from their patrons that English clients did not have.[31]

The "Establishment Crisis" of 1704–06 further demonstrates the workability of the system. As in the case of the Sothell coup and its

[30] Palatine and Lords Proprietors to Moore, 18 June 1702, Sainsbury, *Collections*, pp. 151–52; McCrady, *History of South Carolina*, pp. 720–21.
[31] Wrightson, *English Society*, pp. 57–61, 62.

aftermath, the Lords "didn't get their way" and they suffered acute embarrassment. Yet, at the same time, the basis for the furor stemmed from colonial behavior. Just as importantly, in both instances a solution was reached that most of the people concerned apparently found acceptable.

In 1701, William III, the exiled James II/VII, the earl of Bath, Palatine of Carolina, and Joseph Blake, proprietor-governor of Carolina all died. Sir Nathaniel Johnson promptly swore the Oath of Allegiance to Queen Anne and John, Lord Granville, the new Palatine appointed him as governor of Carolina. In the meantime, James Moore and the surviving Goose Creek men staged a *coup d'etat* to gain control of the government at the expense of the superior claims of Landgraves Joseph Morton, junior, and Edmund Bellinger. As one of his first actions, Moore launched an attack on his trading rivals at St Augustine that bankrupted South Carolina.

According to his enemies, Moore tried to stall an investigation into the conduct of the attack by holding new elections. These were conducted in an atmosphere of riot, assault, and intimidation against Moore's opponents. By this time, Johnson had become governor; presented with petitions to redress grievances generated by the election campaign, he declined to entertain them.

Then, in 1704, Sir Nathaniel's government passed Test and Establishment Acts, possibly at the behest of the Tory Palatine, Lord Granville but this is, at best, unclear.[32] These acts, *inter alia*, obliged all members of the Commons House of Assembly to swear their conformity with the Church of England, provided for a "Commission" to oversee ecclesiastical affairs, established the Church of England, created a procedure for the election of vestrymen, and proscribed the licensing of marriages outside the Church of England.[33] Carolina's Dissenters, of whom there were many, naturally opposed this legislation and appealed their case to the metropolis. Their mission received no sympathy from Granville but an appeal to the Privy Council succeeded on the grounds that the acts unlawfully impinged on the ecclesiastical authority of the Bishop of London (and the Church of England opposed the Carolina Test). Granville, Johnson,

[32] At least this was the suggestion of Daniel Defoe in his contribution to the debate in England, *The Case of Protestant Dissenters in Carolina* (London, 1706).

[33] Cooper and McCord, *Statutes at Large*, 2, pp. 232–35, 236–46.

and their supporters duly subsided and repealed the offensive legislation.

But, almost immediately, the Church of England was re-established in the colony with parishes laid out, another "Commission" appointed, and provisions for the public support of ministers made. Only the religious Test for officeholders did not reappear.[34] This time, having taken care neither to bar Dissenters from political life nor to step on the toes of the Bishop of London, the Lords successfully beat off their complaints: the Church of England remained established while the parish served as the organ of local government until after independence. Not only did Sir Nathaniel and, arguably, Granville get their way, no attempt was made to seize the reins of government. Also, in terms of proprietary "policy," although Granville opposed Dissent, the character of the proprietary board by 1706 was such that a number of the Lords were minors and others, such as the third earl of Shaftesbury, were out of the country and in no position to influence affairs.

Thus, of course, the proprietorship had problems unrelated to the politics and social structure of their colony. It was not exempt from the political and biological vagaries of its day. The Second Anglo-Dutch War (1664–67), the Great Fire of 1665, and the outbreak of the plague in 1666 made the mid-1660s a particularly inauspicious time to build a colony. These events necessarily distracted the leaders of the colony and made communication between colonizers and colonists difficult. Then, the retirement of the Duke of Albemarle and exile of the Earl of Clarendon in 1667 deprived the effort of its most powerful members.

Moreover, the grant of Carolina to eight proprietors made for an unwieldy situation. The list of Lords, which included various personal and political enemies, might well have raised further doubts about the outcome of the experiment. For eighteen years, Ashley, the leader of opposition to the future James II sat at the Lords' table in the Carolina Coffee-house with Craven, who, as a member of the Privy Council, signed the warrant which committed Shaftesbury to the Tower in 1681 and who, as commander of the Household Cavalry during the "Glorious Revolution," sought to deny the victorious William of Orange entry to Whitehall.[35]

[34] Cooper and McCord, *Statutes at Large*, 2, pp. 282–94.
[35] Haley, *The First Earl of Shaftesbury*, p. 655.

Inevitably, with eight cooks, the broth suffered. Some proprietors had less interest in the project than others did. Some of the shares were bought and sold, others wound up in the hands of minors, and others became mired in a swamp of legal entanglements. Albemarle's share became part of one of the great legal cases of the late seventeenth century while those of Clarendon, John, Lord Berkeley, and Sir William Berkeley bounced around the City of London. By 1685, just 22 years after the Carolina charter passed the seals, only the Ashley, Craven, Carteret, and Colleton shares remained in the same families.

Then, notwithstanding the efforts to promote patronage, there were the shortcomings of some officeholders. The proprietors noted

> Wee are Extreamly concerned to find that wee have been so unfortunate as to place the trust of ye governm't in ye hands of men who have had no greater Regard to ye Reputation of it & who being themselves magistrates & to Admin. Justice to others who have had no shame by a Law to publish to ye world that if any man can get into his possession another mans Estate or goods let him come to Carolina & he shall be protected in the unjust detention of them.[36]

The list of officials and aristocrats with "no great regard" for the "trust of ye governm't" included many of the men who were supposed to provide socio-political weight and balance thereby ensuring liberty for Carolina's independent gentlemen and productive estates for both planters and proprietors. Instead, in addition to warring with Indians and harbouring pirates, the colonists ignored quitrent obligations and neglected land surveys. At the same time, the colony suffered from a chronic shortage of currency, the numbers of migrants remained disappointing, the Fundamental Constitutions remained unratified, and people, as we have seen, often put their private interests before those of the colony.

Yet, as we have also seen, the political system functioned on the whole. The local aristocracy and the parliament assumed their designated responsibilities, which included communicating—and bickering—with the Lords. What, then, caused violence to break out and the regime to fall in 1719?

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[36] Lords Proprietors to Governor Sir R. Kyrle, 9 June 1684, Sainsbury, *CSP AWI*, XI, no. 1733, p. 65.

The Yamassee War, which broke out in 1715, caught the Carolinians unprepared and laid waste to their borders. Provoked apparently by fears of enslavement by the whites and agitated by what they regarded as the high-handed attitudes of their neighbors, the Indians struck without warning and quickly pushed the English back to the outskirts of Charles Town.[37] Appeals to the proprietors yielded sympathy but no concrete promises of relief for either improved defenses or to repair the damage and the colonists turned to the crown. Citing their importance as the guardian of the southern frontier of British North America as well as to the customs revenue its rice cultivation and Indian trade produced, the colonists insisted that the proprietors could not be relied upon to maintain this responsibility.[38] The Board of Trade's philosophical opposition to proprietorships and the necessity of restoring order to the province eventually overcame the ministry's reluctance to succor rebellion and to alienate powerful friends like the Palatine, Lord Carteret. South Carolina finally passed into its royal era in 1729.

The rebellion, though, was neither revolutionary nor the culmination of years of struggle against an anachronistic and oppressive institution. The rebels may have sincerely feared that the calamities brought on by the Yamassee War, which they had brought upon themselves, had left them forsaken and desperate. They may have sincerely believed that the Lords, by tinkering with the makeup of the Council, were scheming to "enslave" them. Quite possibly, their objections to proprietary claims to lands seized from the defeated Indians were justified. Quite possibly, their objections to the dominating position of the "proprietary creatures," Trott and Rhett,[39] were reasonable. Yet, the reality remains that they chose to undertake a *coup d'etat* rather than continue to utilize the system in place. And although the crown ultimately recognized the actions of the "Convention," this approval was by no means foreordained.

In fairness to the rebels, the points of contact between the colony and its overseers had become somewhat corroded by 1719. In the

[37] Richard L. Haan, "The Trade Do's not Flourish as Formerly: The Ecological Origins of the Yamassee War of 1715" in *Ethnohistory*, 28 (1982), 341–58.

[38] [F. Yonge], *A Narrative of the Proceedings of the People of South-Carolina in the Year 1719* (London, 1726).

[39] Although the Lords had threatened to suspend Rhett from office on 24 July 1719, Lords Proprietors to Governor Robert Johnson, 24 July 1719, CO 5/290/ 115–17, NA.

years immediately preceding the rebellion, the Lords, perhaps tired of a lack of return from their province, had toyed with the idea of cutting their losses. In 1717, they tried to convey the southernmost part of their grant (from the Savannah to the Altamaha Rivers) to Sir Robert Montgomery.[40] And in May, 1720, following the coup, the proprietors drafted an agreement "to Sell and part with all their Rights powers and properties" and their quitrent arrearages to three Quakers for £230,000.[41]

But, even though the view from the other end was scarcely rose-colored, the Lords had expressed their willingness to accept their responsibilities. Having "received the shocking news" of the outbreak of the Yamassee War, the proprietors petitioned "the king to give assistance to Carolina in men and arms, there being only 1,500 men capable of bearing arms"[42] and "ordered that all arrears now due to the lords proprietors, and growing rents to the 1st May 1718, to be given to the use of the public as the governor, council &c. shall think proper to appropriate."[43] Although it is possible that this last order incorporated a desire to bring the arrearages up to date, these actions do demonstrate that the Lords had not abandoned their colony to its fate.

The proprietors considered themselves bound even though, as early as 1690, they had concluded their colony was in trouble: the Fundamental Constitutions remained moribund, various recruitment campaigns to attract the "weightier sort;" and industrious artisans had failed, the Stuarts Town settlement had expired, mosquitoes rather than silkworms had made their lasting mark on the Carolina landscape, and faction had infected its politics. Since, by design and geography, responsibility for the colony's government had largely devolved on the colonists and they believed they had generally acted as a central authority should, the Lords had no doubt where the blame for Carolina"s shortcomings lay. They warned the inhabitants:

[40] Andrews, *The Colonial Period of American History*, 3, p. 138n.

[41] Memorandum between the Lords Proprietor of Carolina and John Falconer, Robert Barclay, and Joseph Hyam, 25 May 1720 [o.s.], in William R. Coe Papers, 11/569/12, South Carolina Historical Society.

[42] Petition of John, Lord Carteret, Palatine, Henry, Duke of Beaufort, and other Lords Proprietors to the king, [1715], Sainsbury, *Collections*, pp. 248–49.

[43] Proprietary minute book, 3 November 1716, CO 5/292/92–93, NA.

> If the population of Carolina be decreasing we believe the fault to lie in some of the old settlers, who have spared no pains to discourage others. It was they who affronted Lord Cardross the Scots, and who discouraged Landgraves Morton and Axtell, who brought five hundred people to Carolina in a month. We made no alterations in our Constitutions after March, 1669, until desired to do so by some intending settlers, and the changes made in 1681 encouraged many to go there. The next alteration was at the request of the Scots, who intended to send ten thousand people there but would not be under the Government of Ashley River unless the change were made. Many wealthy men, who had been discouraged before, now took heart, and had things been settled we doubt not that many thousand men would have come. For wise men will not come where there is no settled Government.[44]

Even after Ashley and Locke had passed from the scene, the proprietors maintained their vision of a colony that, to a large degree, would maintain itself politically and economically. Of course, this desire tied into the proprietary goals to limit their supply of the colonists and to maximize income from the province. But a hands-off attitude not only made practical sense; it jibed with the philosophy held generally by early modern English folk and particularly idealized by the Whigs: that gentlemen on the scene should assume responsibility for local affairs. The center could only do so much—plan recruitment campaigns, issue instructions, approve or reject laws, hear appeals, appoint officers—particularly from across the Atlantic. The day-to-day affairs of the colony had to be managed by the colonists themselves. If they could not or would not handle this task, there was very little the proprietors could do. Not only would the proprietary investment disappear down the drain; the whole fabric of the community could come unstuck.

In the end, this is what nearly happened. The Carolinians provoked the Yamassees and their allies thereby creating a situation which was beyond the capacity of both themselves and the proprietors to resolve. Although the colony was saved, the expense of the war and the projected bill for repairs left it in jeopardy. Fortunately for those concerned, the Crown decided to accept the pleadings of the Convention, assume the government, and buy out the proprietors.

Although the propietorship did not necessarily meet the financial expectations of the Lords, it is anachronistic to regard the enterprise

[44] 18 October 1690, Sainsbury, *CSP AWI*, XII, no. 1, 117, p. 331.

as a failure. To a remarkable degree, Carolina developed as the proprietors (or at least Shaftesbury and Locke) expected with a ruling land-based aristocracy, race-based slavery, and factional politics. The proprietors proferred guidance which the colonists were at liberty to accept or not (with the exception of the proprietary negative): negotiation rather than confrontation remained the watchword until 1719. Had the colonists not antagonized the Indians, the 1715 catastrophe which ultimately challenged the regime beyond its resources would not have occurred and South Carolina might well have, like Pennsylvania and Maryland, remained a proprietary colony for the duration of the colonial period.

More broadly, the existence and careers of Carolina factions indicates that opportunity-seekers in this province, if not elsewhere, continued to look back to England in constructing a political system during the proprietary period. Despite separation by an ocean, the lack of a mechanism to compel the good faith of colonial clients, and the biological and personal vagaries of the proprietorship, people like Maurice Mathews and James Moore kept an eye on their overseas patrons even as they pursued individual agendas. Here, "New World" politics and social structure looked suspiciously similar to those of the "Old."

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