CHAPTER VIII

"DIRE CONFUSION"!

October Violence

While the colony's delegates were in attendance at the Stamp Act Congress in New York, events moved rapidly in South Carolina. The Commons had attempted to prevent the passage of the Stamp Act and failed; it had next appointed delegates to meet those of other colonies to decide on a joint petition for repeal, but results would prove to be slow. Meanwhile, the election of a new Commons House generated excitement in the colony. Immediately thereafter the arrival of the stamps appeared to make swift action mandatory, and peaceful protests turned to mob violence culminating in the enforced resignation of Carolina's stamp men.

After appointing delegates to the Stamp Act Congress and completing other business, the Assembly adjourned for a month on August 9. But because its three-year term would expire soon, Lieutenant Governor Bull dissolved it during the

recess. He and the Council then issued new writs for an

election to be held October 8 and 9. 2

Six weeks before the election the South Carolina
Gazette reported that Virginia Burgesses who opposed the
Stamp Act resolves were defeated in their elections. A
month later "A Native" published an essay in the same paper
urging people to vote and to vote thoughtfully. Not only
their own, but their posterity's liberties, fortune, and
even lives depended upon the ability and integrity of the
men they would elect. We want, the "Native" wrote, men
"who will use their best endeavors to preserve, support
and defend the enjoyment of every Constitutional LIBERTY,
RIGHT and PRIVILEGE..." Cues for the expected roles
were unmistakable and candidates read them well. As an
unknown writer later reported, doubtless with a straight
face, he knew not for what reason, "but the minds of the
freeholders were inflamed in the last election by many a
hearty damn of the act over bottles, bowls and glasses." 3

The election was a link between peaceful and violent
resistance. Once elected, a member of the elite could
protest decorously through the Commons House; after voting,
members of the upper lower class were relatively voiceless
unless they took to the streets. The campaign charged the
atmosphere with more excitement than the election could

2 Cooper and McCord (eds.), S. C. Statutes, III, 140;
Sept. 18, 1765, S. C. Council Journals, XXXII, 612; S. C.
Gazette, Aug. 31, Sept. 21, 1765.

For a discussion of the election results, see chapter IX.
discharge. When the stamps arrived, they precipitated a storm.

Nevertheless, immediately after the election, moderates appeared to be temporarily in control. The morning of October 11 "some inhabitants" met in Charles Town to prepare for the arrival of the stamps. The sense of the meeting favored obedience to the act until repeal could be obtained by proper petition to Parliament. 4 Possibly with this meeting in mind, Bull later reported that until the reports arrived from the North, most considered the act "too great a burthen," but South Carolina "seemed generally disposed to pay a due obedience to the Act..." and petition against it. 5

Within a week, however, reports from the North, hard work by those Bull termed "busy spirits," and the excitement of the stamps' actual arrival combined to reverse the situation. On Friday, October 18, the Planters' Adventure, the first of two ships bringing stamps to South Carolina, anchored under the guns of Fort Johnson. Expecting a

4 Henry Laurens to Joseph Brown, Oct. 11, 1765, Laurens Letter Book, 1762-1766, p. 336, Hist. Soc. of Pa. The composition of this meeting can only be surmised. It probably included the customary leaders of Charles Town, the leading lawyers and merchants. In addition to Laurens himself, his close friend Gabriel Manigault was probably there. A large merchant and father of the Commons' new speaker, he was particularly influential. Perhaps lawyers Charles Pinckney, James Parsons, and Robert Williams also attended. Undoubtedly many others were also present, but the character and subsequent conduct of these particular men were consistent with the meeting's tone.

5 Bull to Board of Trade, Nov. 3, 1765, Transcripts of S. C. Records, XXX, 261-82, S. C. Archives Dept.
possible "welcoming committee," the captain had chosen not to come all the way into port.

Charles Town soon surmised the reason why the ship remained there and early Saturday morning an effigy of a stamp distributor appeared on a forty foot gallows in the center of the city. Later in the day Bull met his Council to take the required oath to execute the act as it pertained to his office. After this ceremony, someone, referring to the events of the morning, noted some disturbances by


7S. C. Gazette, Oct. 31, 1765. According to Gabriel Manigault's wife the effigy was designed to represent George Saxby who was not the distributor, but the inspector. Either the rioters, Timothy, or Mrs. Manigault confused the two positions. The Gazette had previously announced Saxby's position as "commissioner of stamp duties," but apparently no official announcement of Caleb Lloyd's appointment as distributor had yet appeared. Mabel L. Webber (ed.), "Extracts from the Journal of Mrs. Ann Manigault, 1754-1781," S. C. Hist. Mag., XX (July, 1919), 209; S. C. Gazette, Aug. 31, 1765.

Saxby, planter and receiver general of quit rents for South Carolina since 1741, had embarked for London May 16, 1764, as reported in the S. C. Gazette, Oct. 8, 1764, and had not yet returned. While in England he was appointed inspector of stamps; so far I have been unable to discover how he obtained the position. See Saxby's case, Loyalists' Transcripts, LIII, 547-665, N. Y. Public Library, for details of his land in South Carolina and receiver generalship.

The distributor, Caleb Lloyd, was a Charles Town merchant and brother-in-law of Richard Champion, a politically influential Bristol merchant and potter. This connection may have influenced his appointment. Mabel L. Webber (ed.), "Death Notices from the South Carolina Gazette from September 29, 1766, to December 19, 1774," S. C. Hist. Mag., XXXIV (Jan., 1933), 57; Walter E. Minchinton, "Richard Champion, Nicholas Foscoke, and the Carolina Trade," S. C. Hist. Mag., LXXIV (April, 1964), 89.
giddy minded and evil disposed Persons. . . ." Bull therefore directed Attorney General Egerton Leigh to move the Court of General Sessions, to urge the people "to keep quietly to their Duties" and to order all magistrates and peace officers to keep the peace. Chief Justice Shinner issued the order for the court, but as Bull later observed, "the infection was too generally spread to receive any check from his authority."8

Apparently Shinner first ordered the constables to cut down the gibbet. When they refused, he attempted to do it himself but was "repuls'd and insulted."9 The effigy remained until evening when a procession estimated at 2,000 carried it eastward on Broad Street to the bay. Along the route the procession stopped at the house of George Saxby, inspector of stamps, who had not yet returned from London. "In great numbers" the crowd searched for


9 Hooker (ed.), Carolina Backcountry: Writings of Charles Woodson, p. 295, and May 27, 1767, S. C. Commons Journal, XXXVII, Pt. 1, 439 S. C. Archives Dept. The reports of Shinner's attempts to interfere are indefinite about time and date, but this Saturday afternoon appears the most likely. Nevertheless, Laurens (who was out of town at the time) later claimed he had been told "six men of spirit" could have halted the entire proceedings, but meeting no opposition, the mob increased its depredations. Laurens' informant may have meant no effective opposition. Laurens to Joseph Brown, Oct. 22, 1765, Laurens Letter Book, 1762-1766, p. 359, Hist. Soc. of Pa.
stamps. Finding none, the rioters turned to stealing money and clothes from Saxby's tenants and smashing furniture. The procession then continued to an open spot where the rioters burned the effigy and buried a coffin labeled "American Liberty." Before dispersing, the mob also broke into and searched Caleb Lloyd's house on a rumor that he had been appointed stamp distributor. The rioters failed to find him because, as Bull noted, Lloyd "prudently had withdrawn himself." The only public trace of him for the next week was a declaration posted at the Exchange on Sunday, October 20, that he had no commission as distributor--doubtless technically a true statement. On Sunday the events of Saturday were repeated on a smaller scale.  

Monday morning on advice of his Council, Bull issued a proclamation promising pardon and a substantial reward ($50 sterling) to anyone divulging the malefactors. This proclamation again required all peace officers to use their utmost endeavor to maintain order. Results were as poor as those following Shimer's order.  


When the stamps arrived, Lloyd had asked Bull to provide for their protection. Bull thought the safest place was aboard His Majesty's Sloop Speedwell. He therefore consulted Captain Fanshawe who, noting that his vessel was heaving down for work on its bottom, felt it unsafe to have the stamps aboard while at the wharf. As a result, certainly before Tuesday the 22nd and probably the night of their arrival, at Bull's request, the Speedwell's boats manned by armed sailors transferred the stamps from the Planters Adventure to Fort Johnson. Bull later reported that he also reinforced the garrison with a sergeant and twelve Royal Americans, presumably more reliable than the colonial militia, and ordered the commander, Colonel Howarth, to take precautions against surprise. 12

Because the transfer had apparently been secret, the mob continued to search for the stamps. Henry Laurens was known as a man of influence in London as well as South Carolina—just the previous year he had declined an appointment to the Council which his friends had obtained for him without his knowledge. 13 His opinions were also generally known, and since Lloyd had disclaimed having any commission,


the mob may have momentarily suspected that Laurens was the distributor. At least it believed that the stamps were in his custody.

The night of October 23 he received a visit. Crying "Liberty Liberty and Stamped Papers," the mob demanded that he allow them to search the house. He assured them he had neither the papers nor any connection with them. When the mob failed to disperse, Laurens offered to duel any one of them singly if spite were involved; the members of the mob denied any intention of harming either him or his property but were certain he had the stamps. By now Mrs. Laurens, who was in late pregnancy, was hysterical so Laurens opened the door to end the whole affair as quickly as possible.

A number superficially searched the house. To the crowd's alternate applause and curses Laurens then delivered his opinion on the act and proper methods for obtaining its repeal. At length, after he repeatedly refused to reveal the stamps' location, the crowd left. To his later amazement, though many were "heated with liquor" and all were armed, damage done to house and yard was negligible.  

The following morning Bull called a Council meeting to seek advice. Noting that the number of rioters had increased, that disorders appeared likely to continue, and that many of the mob were sailors, he suggested merchant captains be requested to restrict their men to shipboard.  

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The Council concurred, and Bull summoned both Captain Fanshawe and the merchant captains to another Council meeting that afternoon. Besides requesting that civilian sailors be restricted, Bull asked Fanshawe how many of his men could be spared for use against future riots. Fanshawe was reluctant to delay repairing his vessel by detaching men and unable to guarantee their conduct while ashore; he therefore advised Bull to provide his own men.15

By coincidence this same day Secretary of State Henry Seymour Conway composed a letter in London; Bull would not receive it until the following spring. If, having taken all steps consistent with leniency and prudence, Bull was still unable to restore order, Conway directed him to request aid from General Gage and Lord Colville, commanders of the royal military and naval forces stationed in America.16 Had communication been instantaneous, Bull would doubtless have followed the same course he took without benefit of Conway’s letter. Character and circumstance combined to give him little choice.

Bull’s own instinct was always in favor of leniency and prudence.17 But even if he had wished to use force, he was powerless to do so. There was no reliable force

16 April 15, 1766, ibid., p. 755.
17 For examples, see Bull to Board of Trade, Nov. 3, 1765, and May 3, 1766, Transcripts of S. C. Records, XXX, 281, XXXI, 34, S. C. Archives Dept.
sufficiently large in the colony. Fanckew's sailors were unreliable; there were probably less than sixty royal troops in the entire colony—and the majority of these were on the frontier. Thus Bull would only have been able to reinforce the town watch with the militia or the "Posse comitatus"—both highly unreliable at the moment. 18

Considering the circumstances, a Council member suggested that public notice of the stamps' location would at least prevent further searching of private houses. By order, the clerk of the Council therefore immediately published the notice. 19

According to Bull's later report, his orders for vigilance as well as reinforcing the garrison "prevented their making any attempt on the Papers." Nevertheless, the fort was not heavily manned and news of a plan to seize the papers probably reached Bull. Consequently, the following day as soon as the now seaworthy Speedwell anchored off the fort, he ordered the papers moved to it. 20

18 Bull to Board of Trade, Nov. 3, 1765, Transcripts of S. C. Records, XXX, 287, S. C. Archives Dept. In April 1766 there were only fifty-three effective in the province, forty-two of them on the frontier. So far, I have located no indication that these forces were either augmented or decreased from October 1765 to April 1766. April 15, 1766, S. C. Council Journals, XXXII, 756, S. C. Archives Dept.


Saxby's arrival the day following transfer of the stamps shattered a brief calm. Informed of events, he took refuge at the fort without going into town; Lloyd joined him there.\textsuperscript{21} With the news of Saxby's arrival the mob resumed the attempt to terrorize the officers. There was method in the madness. Although he did not agree with their views, Laurens noted that "people here build ... much upon ..." the officers' resignations.\textsuperscript{22} The northern colonies had shown the way and many South Carolinians evidently believed that if they could force the officers to resign, the act would be unenforceable. Apparently the same day that Saxby arrived, October 26, a "very great concourse of people" assembled. Threatening "every thing" against the two-stamp men, the mob sent one of their leaders to demand their resignations. Although he urged the demand by pointing out that Saxby and Lloyd would only be following

by October 23; but on the 24th Fanshawe reported her still refitting at Hobaw. Oct. 24, 1765, S. C. Council Journals, XXXII, 638, S. C. Archives Dept. The date is important because a delay between the vessel's departure from the wharf and transfer of the stamps would seem to imply some intervening event to cause the transfer. For a discussion of such a possibility, see appendix B, "A Further Note on the Transfer of the Stamped Papers from Fort Johnson."


the example of the northern stamp men, they at first refused. 23

For two days they remained firm. But their friends told them the mob intended to pull Saxby's house down and kill the two men; therefore to "prevent murther and the destruction of the town" they agreed to suspend execution of their offices until Parliament's reaction to petitions against the act could be known. On Monday morning, the 28th, the stamp officers landed at Motte's wharf where they read a declaration that they had voluntarily agreed not to execute the act; the huge crowd answered with cheers and firing of cannon. The next day the officers wrote Bull that to "restore and preserve the peace" of the colony they had acquiesced to the "request made us from the Inhabitants of South Carolina," and they hoped "no breach of duty or unjustifiable proceeding" might be imputed to them. Two days later they reported the events to the commissioners of stamps in London, but promised to act in a manner "most conducive to his Majesty's interest." 24

Lloyd attempted to execute as much of his duty as possible. The London stamp office had consigned stamps for Georgia, East and West Florida, and the Bahamas to him


for forwarding. As soon as he could safely appear, he
offered "considerable freights" to anyone who would take
the stamps, but, he reported later, "my endeavor met every
impediment that could be contrived by the people inflamed
with a determination violently to suppress every operation
of the act." On November 10 he somehow delivered the
papers for East Florida and on the 25th sent stamps to
Georgia by the Speedwell. Lloyd's covering letter to
Governor James Wright of Georgia revealed that he was still
doing his best to perform his duty; he promised to render
all service possible but suggested his proceedings should
"not be made more public than . . . requisite."

II

Incomplete as the stamp officers' resignations
were, violence had ensured that no stamps would be used
in South Carolina on November 1. The mob, described
variously as "Sons of Liberty" or "Devil Burgers" depending
on one's point of view, had been very effective. Where
peaceful protest had failed to prevent attempts to execute
the act, direct action was successful. Who were the
violent men? Who directed their operations? How well
organized were they?

25 Brettell to Lloyd, Sept. 6, 1765, Lloyd to
Governor James Wright, Nov. 29, 1765, Lloyd to Commissioners
of Stamps, Dec. 12, 1765, House of Lords MSS, Item 209,

26 Laurens to Joseph Brown, Oct. 22, 1765, Laurens
According to Bull the rioters seemed to be "common populace." Many appeared to be sailors, not only because large numbers were in port for the approaching rice exporting season, but also because landmen often disguised themselves in soot and sailor's dress. Probably few bona fide sailors had much political interest in the act; many were doubtless Englishmen rather than Americans. Nevertheless, such considerations prevented few from joining the mob. For every one who joined the rioting for rational or semi-rational reasons there were certainly others, sailors and landlubbers alike, who did so merely for excitement. Perhaps there was also the usual share of those who enjoyed patrolling the streets with cutlasses and clubs.27

No doubt even among the less principled there were some with rational motives who welcomed the opportunity to acquire booty. Perhaps tavern keepers whose liquor license bore a 1/4 duty joined the throng and in the name of liberty urged their customers to do likewise. Laurens also thought debtors hoped to close the courts by violence;

"I shrewdly suspect," he wrote, "that some of the principal

Champions mean to pay their debts or at least to obtain a Credit during their own pleasure. . . "28

Nevertheless, principle probably played an important part for many. John Qulcock, though not one of the lower class, was probably too young to do anything more effective than to join the mob. A few years later he remembered that he had "held up [his] Hands" against the Stamp Act because--and he probably spoke for most of the politically aware--"I acted upon Principle, and sincerely thought, as I still do, that if it was allowed by us, to be established as a Precedent, that a British Parliament may make Laws to tax America, for the sole Purpose of raising a Revenue to the Crown, our Posterity may thereafter . . . be reduced to Beggary as well as Slavery."29

Although the mob probably included some younger members of the upper class and other fairly substantial citizens who were permanent residents--Laurens was able to recognize nine the night they searched his house--some leaders apparently belonged to the lower class. After repeal of the act, Benjamin Smith reflected that rioting had made some members of the lower classes "Men of Consequence" and he feared they might not be willing to undermine their new status by promoting peace and quiet.30


29 S. C. Gazette, Oct. 18, 1770.

Smith's reference is ambiguous. If he intended to include men like Daniel Gamon, Edward Weyman, and Tunis Tebout—all substantial and important tradesmen who met with Gadsden under the Liberty Tree later—he used the term to signify a group that could be termed lower class only in comparison with the elite. For example, Tebout was a blacksmith, but the term is misleading to a modern reader. In September 1765 Tebout, as sole owner, registered his new, twelve-ton schooner Vulcan; he was also part owner of the schooner Georgia Packet. In 1769 he advertised eight slaves for sale. Clearly, he was no ordinary blacksmith.32

Lower or middle-class leaders also received aid and direction from above. Bull reported there was "great reason to apprehend ... [the mobs] were animated by some considerable men who stood behind the curtain." Other statements seemed to corroborate his opinion. The committee of intelligence, propagandizing the back-country ten years later, ignored the role of the lower classes and stated that the "rich men of America" had resisted the act until Britain repealed it. Though not conclusive, the statement suggested upper-class leadership behind the mob violence.


Laurens believed those who searched his home to have been sent by "some of my seemingly-best friends." Although Laurens considered Gadsden a "malicious villain" rather than one of his best friends, he was convinced that Gadsden was one of the chief instigators of the rioting. One of those searching his house had remarked that Laurens would be popular with everyone if he did not associate with Governor James Grant (of East Florida). Doubtless remembering the Grant-Middleton quarrel during the Cherokee War which stimulated an acrimonious controversy between Gadsden and himself, Laurens concluded that he saw Gadsden's "Cloven foot . . . behind the curtain. . . ." Because Gadsden was in New York at the time, Laurens was probably too hasty in attributing direct responsibility to him. Nevertheless, Gadsden may have encouraged opposition to landing the stamps before he left for the Congress, and he almost certainly became the leading spirit of the Sons of Liberty after returning. He seems to have usually chaired their meetings at the Bacchus Tavern and he was the only member of the elite invited to address a group of mechanics who celebrated repeal of the act under the Liberty Tree. Timothy, though he later claimed to have


disassociated himself from the more violent proceedings, was another leader. Two others, whom Laurens termed: "industrious anti-parliamentarians," appear to have also figured in the leadership. 35

The extent to which the mob and the Sons of Liberty were organized is difficult to assess. The two groups were not always identical; for example, sailors calling themselves Sons of Liberty apparently extorted money in the streets of Charles Town. But Timothy's refusal to be associated with more violent proceedings and a newspaper defense of the rioters, excusing their "excesses" on the grounds of provocation, indicated that even among the actual Sons discipline was probably not too good. 36

Nevertheless, apparently regular meetings at the Bacchus seem to indicate some organization. One historian has suggested that Gadsden's Artillery Company "would have been a splendid nucleus" for it. Another has implied that either the tradesmen's benevolent Fellowship Society, founded in 1762, or the Charles Town Fire Company might have provided the organizational nucleus. Neither has supported


36 Morgan, Stamp Act Crisis, p. 252; S. O. Gazette, June 2, 1766.
his speculations with much evidence and I have been unable to do any better. 37

If any of these groups were the actual nucleus, some form of organization seems to have spread far beyond it.

As late as 1774 the Artillery Company contained only about eighty men, but South Carolina is supposed to have offered Georgia five hundred armed men to expel the stamps. In addition, Bull reported that by deliberate misrepresentation the "contagion" had spread throughout the whole country.

Timothy, who was probably in a position to know, later confirmed Bull's opinion by writing that some in Charles Town convinced the back countrymen that even their livestock was in danger of being taxed. As a result, back settlers met to oppose the stamp tax. In mid-January 1766 one of the town's Sons of Liberty bragged that, if needed, they could count on the aid of 2,000 men from the back country to prevent the use of stamped paper. Apparently sentiment against the Stamp Act in the western area around Ninety-six was so violent that some, including Laurens' friend John L. Gervais, formed a loyal "Frontier-Friends-Club" to counteract the propaganda of the Sons of Liberty. 38 Such

37 S. C. Gazette, Aug. 17, 1767; Woody, "Gadsden and the Stamp Act," S. C. Hist. Association, Proceedings (1939), p. 5; Walsh, Charleston's Sons of Liberty, pp. 29-31. A muster list for the Artillery Company might help considerably, but so far I have been unable to locate one.

38 John Bennett, "Charleston in 1774 as Described by an English Traveler," S. C. Hist. Mag., XLVII (July, 1946), p. 179; Morgan, Stamp Act Crisis, p. 259; Bull to Board of Trade, Nov. 3, 1765, Transcripts of S. O. Records, XXX, 286; S. C. Archives Dept.: Timothy to Benjamin Franklin,
widespread and concerted opposition to the act, much of it apparently instigated from Charles Town, probably indicated an effective organization of some kind.

III

Peaceful protest had boiled over into violent opposition. At least temporarily, violence appeared to be successful where constitutional methods had failed. South Carolinians could draw several lessons:

First, violence could be a useful political weapon, either in actual use or as a reserve potential. Hereafter its use became a real alternative. As South Carolinians became more aware that they would have to rely on their own strength to protect themselves, the threat of violence became a more important weapon.

Second, the colony's leaders gained experience with the new technique and self-confidence in its use. In 1769 and 1770 they would be able to employ it more deftly to enforce nonimportation and, later, to exclude tea. Success in October 1765 became a precedent that could be invoked for use in other emergencies.

Third, at least for the time being, royal government was revealed to be powerless. The direct encouragement to possible future defiance was obvious. Less immediately apparent was the damage done to the government's prestige.

The mystique of government rests partly on something similar to an aura of infallibility which in turn depends partly on the ability to project an image of omnipotence. Successful defiance destroyed part of the British mystique. Carolinians would never again stand in quite the same awe. And a government that has lost the power to command the respect of its subjects has lost much of its power to compel obedience.

In addition, some people feared that government in general had lost some of its mystique. Men like Benjamin Smith were concerned about the future role of the lower classes. As someone wrote the following summer, "the richer folks were terrified at a spirit which themselves had conjured-up; but instead of endeavouring to reduce the fire they had kindled, 'like the sluggish tortoise, they shrunk within their own shells at every supposed danger." 39

Some had seen the face of anarchy and were afraid; they would not have been human if they had not blamed it directly on Britain, forgetting their own part in it. By an emotional short circuit, obnoxious British policy was considered to be directly responsible for instigating anarchy in the colony. Although Laurens had no part in inciting the mob, his comment in 1774 illustrated the process by which Britain became the scapegoat. "We are," he wrote, "threatened with

39 S. C. Gazette, June 2, 1766.
another Stamp Act . . . to throw us into dire confusion.⁴⁰

For some like Laurens the process probably took years; for others it doubtless occurred immediately. In either case, the important result was that the specter of anarchy probably alienated fully as many conservatives as it frightened others into taking refuge in the British fold.

To the less conservative anarchy appeared more remote. Doubtless for men such as Gadsden their experiences were exhilarating. Ultimately these experiences would help to change the tone of politics; within a few months the conduct of the Commons-House would begin to show the effects. To the extent that upper-class leaders incited lower-class violence a democratizing influence was at work on politics. Successful cooperation in extra-legal activities would have increased rapport. Doubtless his personality and previous experience pre-disposed Gadsden to see the main threat to colonial liberty in British policy, not in lower-class turbulence. Violence that seemed to protect the colony against a measure that appeared tyrannical undoubtedly increased the number of his persuasion. At least when the Commons met, it showed itself anything but frightened by the October days.