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DRAYTON AND LAURENS IN THE CONTINENTAL CONGRESS

By William M. Dabney
University of New Mexico *

Henry Laurens and William Henry Drayton, two South Carolina patricians and men of means, were colleagues in the Continental Congress for eighteen months during the middle of the War for American Independence. It might have been predicted at the beginning of this time that the two delegates would be in agreement on most issues which might arise. The record shows, however, that on most questions they took opposite stands. An explanation of this circumstance is of interest in that it may throw some light on the factional wrangling that racked the Congress, and in that it may substantiate the existence of a southern sectional awareness. Because the beginning of a consciousness of southern interest is often given a later date and is frequently associated with the intensification of the slavery or tariff controversy, this early evidence of the sentiment may be worth consideration.

Laurens has received biographical treatment, and little material on his life need be added here.[1] Drayton, however, is deserving of more attention than he has received heretofore, and something should be told of his career before his election to the Continental Congress. He was born to a family of wealth and prominence in colonial affairs, and was sent to England for his education, which culminated in his matriculation at Balliol College, Oxford.[2] His return to South Carolina coincided with the beginning of the "decade of discontent," and the 23-year-old Drayton took a stand on the controversy surrounding the passage of the Stamp Act. Although he, like most of his associates and acquaintances, may have regretted the new colonial policy of Great Britain, there is no doubt that he regarded the American boycott as far more regrettable.[3] Fourteen years later General Charles Lee, in challenging Drayton to a duel, declared that it was only because of the mercy of the American people

* Fullbright lecturer in American History at the University of Edinburgh, 1958-59.

[1] David D. Wallace, *The Life of Henry Laurens With a Sketch of the Life of Lieutenant-Colonel John Laurens* (New York, 1915).

[2] John Drayton, *Memoirs of the American Revolution, from its Commencement to the Year 1776 . . .* (2 vols., Charleston, 1821), I, xiii.

[3] Edward McCrady, *The History of South Carolina under the Royal Government* (New York, 1899), pp. 584-585.

marker, but it is said that Dr. F. H. McLeod was in charge of a large concourse at the bridge honoring the sunken gunboat.

During the exceptionally dry fall of 1954, the hulk of the vessel again appeared above the mud of the Great Pedee. The Driftwood Company of Marion salvaged the remains and set them up on the farm of Calvin Yarborough, near U. S. Highway 301-76. The sheet-metal fence had giant-lettered advertisements of the remains, but apparently little profit came from the venture. The Historical Commission of South Carolina received several bitter protests against this treatment of the old ship. The effort was abandoned, and in midsummer of 1955 the fence had either been forced apart or had warped in many places, and the old pieced-out skeleton was there for any who wished to see. The salvage operations were rendered difficult by the depth to which the vessel had sunk in the mud of the river, by the breakup of the rotten timbers under the pull of the cable, and the wide scattering of the fragments.

The prow and stern timbers are fairly well preserved, as is the port bow; there are many half-rotted timbers from other portions of the ship, of gum, cypress, and pine, and many spikes and metal girders, grappling irons, cam shaft, and the immense single-engined boiler about 21 x 6 x 6 feet (said to weigh about 45 tons) in the center, showing the results of the explosion which wrecked the "Pedee." A full description of the vessel, still in remarkable condition for her 89 years under water, appeared in the *Columbia Record* of November 1, 1954.[7]

[7] In a recent renewal of interest in the "Pedee" through the negotiations of the Florence County Historical Commission with the Navy Department, an underwater crew from the Charleston base attempted to locate the guns of the Confederate vessel. A thorough search of the 200 square-foot area thought to be the location of the wreckage was begun on August 25, 1958, but failed to show any trace of the guns, and the attempt was abandoned three days later. The Commission hopes to renew the investigation at a future date.

"that they did not long ago hang up you, and every Advocate for the Stamp Act. . . ."[4]

When the news of the Townshend Duties was received a few years later and several South Carolinians led by Christopher Gadsden intensified their opposition to British policy, Drayton intensified his expressions of loyalty to the Crown.[5] He and Gadsden directed to each other sharp letters of abuse in the pages of the *South Carolina Gazette*. Signing himself "Free-Man," Drayton called Gadsden a "vain demagogue," and protested that "the patriotism of the age" denied a person the liberty of "thinking and reasoning." A true patriot and friend to liberty would not infringe the fundamental laws of his country, he added, and Gadsden should be quartered in the mad-house at public expense. In September 1769, a large group of Charlestonians led by Gadsden assembled under the Liberty Tree and stigmatized those who would not sign the Non-Importation agreement drawn up earlier in the summer.[6] Drayton, one of those who refused to sign, continued to defend himself in the *Gazette* against the attacks of those who assailed him.

So great was his personal unpopularity because of his expression of loyalty to the colonial policy, and so heavy were the financial losses he sustained because of the boycott, that Drayton considered his continued residence in Carolina intolerable. On January 3, 1770, he sailed for Great Britain, where he hoped his attitude would be more welcome.[7]

The South Carolinian was indeed well received in London. He was introduced at the court of George III, where he made the acquaintance of several members of the inner circle such as Lord Sandwich.[8] Within a few months he was appointed a member of the Council of South Carolina, for which office he had been recommended by his uncle, Lieutenant-Governor William Bull.[9] But he was disappointed in his hope of an additional appointment for which Bull had nominated him, that of Postmaster General of the Southern District of North America.[10]

The dispute between Great Britain and the colonies had subsided by 1772, and Drayton returned to Charles Town and took his seat as a

[4] Lee to Drayton, March 15, 1779, *New-York Historical Society Collections, Lee Papers*, VI (New York, 1874), 318.

[5] *South Carolina Gazette*, August 3-October 26, 1769.

[6] *Ibid.*

[7] *Ibid.*, Jan. 4, 1770.

[8] Drayton, Memoirs, I, xiv.

[9] *Journal of the Commissioners of Trade and Plantations, from January, 1768, to December, 1775* (London, 1937), pp. 226-227.

[10] Public Records of South Carolina, XXXIII, 1 and 22, and XXXII, 411.

member of the Council.[11] During the following months his attitude toward the British colonial policy was completely reversed. He was converted from one "attached to the King's person and Government, and free from unconstitutional prejudices," as his uncle had described him, to one of the most extreme patriots in the colony, and one of the first to advocate complete separation from Great Britain.[12] The reasons for this transformation deserve consideration.

Drayton explained his change of mind as the result of outrage over the Intolerable Acts. He acknowledged his earlier support of the royal prerogative and his former judgment that the actions of the popular party were unconstitutional in that they compelled men to comply with resolutions grating to a free-man "under pain of being stigmatized, and of sustaining detriment in property." But in 1774 he could not but condemn "the malignant nature of the late five Acts of Parliament." [13]

Other reasons than outraged principles may be advanced to account for Drayton's change of heart, especially since he showed signs of disenchantment with British policy before the news of the Intolerable Acts had arrived. He was disappointed that an office for which he had been recommended and which he had expected was denied him and was filled instead by a "placeman" from Great Britain. In South Carolina, as in many sections of colonial America, it had long been taken for granted that office-holders would be recruited from the colonials themselves. South Carolinian patricians had come to regard public office as their birthright. But Britain was packing strategic offices with English, Scottish, and Irish placemen in order to block anti-government activities.[14]

Furthermore, Drayton was thwarted by John Stuart in a land speculation scheme involving a twenty-one-year lease of some Indian lands on the Catawba River. Stuart, His Majesty's Superintendent of Indian Affairs for the Southern District and a member of the South Carolina Council, was joined by the other placemen on the Council in cancelling the lease which that body had earlier made to Drayton.[15]

[11] *Ibid.*, XXXIII, 169.

[12] *Ibid.*, XXXII, 411; Drayton, *Memoirs*, II, 274.

[13] [W. H. Drayton], *A Letter from Freeman of South Carolina, to the Deputies of North America, Assembled in the High Court of Congress at Philadelphia* (Charles-Town, 1774), pp. 4-5.

[14] Robert W. Gibbes, ed., *Documentary History of the American Revolution . . .* (3 vols., New York, 1853-57), I, 35-49.

[15] *Ibid.*, I, 70-73 and 74-75; Stuart to Lord Charles G. Montagu, Dec. 27, 1772, Public Records Office, Colonial Office Papers 5, vol. 74, Library of Congress Transcripts; Stuart to the Earl of Dartmouth, Feb. 23, 1774, *ibid.*

Since it is sometimes declared that a motive of some who supported the American Revolution was a desire to be free of debts which they owed to British creditors, it should be mentioned that Drayton had incurred a debt of £2400 to the Scottish officer, Major (later Lieutenant-General) James Grant. He met interest payments from 1769, when the transaction was made, until 1774, after which he paid no more. As late as 1801, several years after Drayton's death, Grant was still pressing his heirs for a settlement.[16]

By 1774 Drayton's conversion to the radical Whig position was complete. He supported the extreme position of his old opponent, Gadsden, against the conservative Whiggery of John Rutledge and Rawlins Lowndes. He couched his revolutionary appeal in the following words: "The Almighty created America to be independent of Britain; let us beware the impiety of being backward to act as instruments in the Almighty Hand, now extended to accomplish his purpose. . . ."[17]

Drayton, "our converted countryman" as Laurens called him, entered into the service of his colony with enthusiasm. Suspended from the Council by his uncle, William Bull, for his inflammatory tracts, he was sent by the Committee of Safety into the interior of South Carolina in 1775 to try to win the back-country people to the anti-British cause. His assumption of near-dictatorial power, even to the extent of assuming military authority and issuing edicts in the name of the Committee, was at first questioned by Henry Laurens, then president of the Committee of Safety. But on consideration of the circumstances Laurens and the other members deemed his actions justified by the intensity of the loyalist sentiment in the interior of the colony.[18] Notwithstanding his energetic efforts, Drayton and those who accompanied him achieved only limited success in the back-country, and history records that their achievements were not lasting.

After Drayton's return to Charles Town, the more conservative Whigs attempted to restrain the impetuous young man by naming him to the supposedly innocuous position of chief justice of South Carolina.

[16] Drayton to Grant, Feb. 6, 1774, Library of Congress, Mss. Division, Personal Papers; Grant to the Commission for Carrying into Effect the Sixth Article of the Treaty of Amity . . ., Nov. 19, 1794; Grant to Messrs. James and Ed. Gairdner, L. C., Mss. Div., Personal Papers.

[17] Drayton, *Memoirs*, II, 274.

[18] *Collections of the South-Carolina Historical Society* (Charleston, 1858), II, 58 and 64; Wallace, *Laurens*, pp. 338-339; "Papers of the First Council of Safety," this Magazine, I (1900), 197-199 and 285-286; Peter Force, ed., *American Archives, 1774-1776* (9 vols., Washington, 1837-1853), 4th series, V, 615.

Drayton, however, converted his office into one of influence by which he gained a considerable reputation throughout British America. He directed a series of charges to the grand juries, and the subsequent publication of these extended his influence as a pamphleteer.[19]

Thus it was that William Henry Drayton had taken a forceful part in South Carolina affairs from the beginning of the Revolution to March, 1778. It was in that month that he took his seat as delegate to the Second Continental Congress, as a younger colleague of President Henry Laurens.[20]

His relations with Laurens seem to have been cordial enough at the outset, although Laurens was piqued that his younger colleague unreasonably monopolized the time of Moses Young, secretary to the South Carolina delegation, on private letters, and resented Drayton's addressing letters to their home state from the South Carolina representatives in Congress without Laurens' signature.[21] By September, however, indications of a deep-seated rift were apparent. Laurens began to complain to other members about Drayton's conduct, and Drayton wrote to the president begging that if he had fault to find, he would be frank enough to apprise Drayton himself of the fact, rather than force the younger man to hear reports from others.[22]

The quarrel between the two South Carolinians was probably touched off by Drayton's support of the claims of Dr. John Morgan, who had been ousted as Director-General and Chief Physician of the General Hospitals of the United States. His removal had been engineered by the Lee-Adams faction in the congress, with which Laurens had close ties; and Morgan had been succeeded by his arch-opponent, Dr. William Shippen, brother-in-law of Richard Henry Lee. Morgan charged his successor with "malpractise and misconduct in office," and demanded a hearing. Drayton, Meriwether Smith (an opponent of the Lees), and the Reverend Dr. John Witherspoon composed a committee which investigated the charges and recommended that because "Morgan hath in the most satisfactory manner vindicated his conduct in every respect," Congress express satisfaction with his conduct.[23]

[19] *Ibid.*, 4th series, V, 1025-1032, and 5th series, II, 1049-1059.

[20] W. C. Ford and others, eds., *Journals of the Continental Congress*, 1774-1789 (34 vols., Washington, 1904-37), X, 294; E. C. Burnett, ed., *Letters of the Members of the Continental Congress* (8 vols., Washington, 1921-38), III, lx.

[21] Moses Young to ....., Mar. 10, 1779, Henry Laurens Papers, South Carolina Historical Society, 1778-80.

[22] Sept. 16, 1778, Emmett Collection, New York Public Library, Mss. Div.

[23] *Journals*, X, 203; *Letters*, IV, 247-249.

It was Henry Laurens' ever-closer ties with the Virginia Lees that caused the widening of the breach with Drayton. The worsening of relations came during the controversy between the partisans of Arthur Lee and those of Silas Deane. Drayton, who had become a close friend of Gouverneur Morris, usually sided with Gouverneur and Robert Morris in support of Deane. He seems to have been convinced that the presence of the proud and tactless Arthur Lee at King Louis' court was detrimental to the American interest, and that Lee's charges against Deane were absurd products of a diseased mind.[24]

Drayton attacked Lee with his accustomed vigor. His enthusiasm and parliamentary maneuvering in the congress made him an effective adversary. He and William Paca of Maryland, another partisan of the Morris-Deane faction, gave great publicity to a statement which they drew from Conrad Gérard, the French minister, that Lee did not have the confidence of the French court. Lee replied in a letter to his brother Francis Lightfoot to the criticisms of Drayton as follows: "I expected W.H.D. would take precisely the part he has. His character is too much of the Catilinarian cast, for him to remain long among honorable men. *Turbidus, inquietus, atrox*—he should always be dealt with as one, who, tho your friend to day, may betray you tomorrow. . . ." Richard Henry Lee thought his brother's characterization most apt. To Henry Laurens he wrote: "Can anything fit more exactly than 'foul, restless, wicked?' no glove ever fitted his hand better than this character does the Man." [25] Henry Laurens grew sharper in his expressed contempt for Drayton.

Closely related to the Lee-Deane dispute and under consideration in connection with it was the matter of peace negotiations. When there was some hope that a settlement might be effected with Great Britain in 1779, Congress considered the problem of naming an envoy to treat with Britain. The Lee-Adams-Laurens faction favored Arthur Lee, but their opponents blocked this selection. The naming of an envoy was postponed pending the drawing up of instructions for him to observe in his mission.[26] A question which loomed large in the ensuing debate was whether the right of the Americans to the Newfoundland fisheries should be an indispensable condition of peace. For the most part, and for obvious reasons, the New Englanders in Congress sought to guarantee this right. Most other congressmen, however, were unwilling to attach

[24] Drayton, *Memoirs*, I, xxiii; R. H. Lee, *Life of Arthur Lee, L.L.D.* (2 vols., Boston, 1829), I, 151.

[25] J. J. Meng, ed., *Despatches and Instructions* . . . (Baltimore, 1839), pp. 358-359; *Deane Papers*, III, 437-440; *Letters*, IV, 423 n.

[26] E. C. Bennett, *The Continental Congress* (New York, 1941), pp. 431-439.

such importance to that condition. Two exceptions were Richard Henry Lee of Virginia and Henry Laurens of South Carolina, whose insistence on this right was as vehement as that of the delegates from Massachusetts.

The alliance between the New England Adamses and the Virginia Lees is well known, and Richard Henry's stand on the fisheries question causes no surprise. Laurens must have been motivated by his staunch devotion to the Lees, a devotion strong enough to keep him constant even when many of his fellow-southerners thought the interest of their own states and section dictated a different policy. The antagonism stirred up toward him was expressed by Whitmill Hill of North Carolina, who wrote: "I think his [Laurens'] character much more pitiable than any other in Congress, as for Adams and Lee, they have Designs and great objects in view, but our Southern Champion is duped by their flattery, an artillery which he cannot oppose." [27]

Drayton opposed Laurens on the fisheries matter, declaring that if these rights were insisted upon, the interests of only three or four states would be catered to, and that the privilege could never be of any use to the southern states.

Especially resentful of Laurens' "betrayal" of his section was Thomas Burke of North Carolina.[28] His displeasure was so keen that he and his colleagues from North Carolina threatened to withhold the support of the North Carolina militia from the defense of South Carolina at a time when the British were in Georgia and were a threat to South Carolina from the South. Lieutenant-Governor Thomas Bee of South Carolina wrote to Drayton in alarm that ". . . the people here begin to think that the Southern States are meant to be sacrificed to the resentment of the Enemy. . . ." [29]

Awareness of the South as a section with peculiar interests which must be jealously guarded was not a new concept for Drayton. While chief justice of South Carolina, only a few days before his selection as a member of the Continental Congress, he had joined in the debate on ratification by his state of the Articles of Confederation. He expressed alarm at several provisions of this constitution, one of which was that action would be taken by the congress upon the affirmative vote of nine states. Thus the opposition of Virginia, the two Carolinas, and

[27] Francis Wharton, ed., *The Revolutionary Diplomatic Correspondence of the United States* (6 vols., Washington, 1889), III, 204-205, 226-228.

[28] J. B. Sanders, "Thomas Burke in the Continental Congress," *North Carolina Historical Review*, IX (1932), 22-37.

[29] *Ibid.*, Letters, IV, 137-138; Bee to Drayton, Apr. 2, 1779, Papers of the Continenal Congress, National Archives, No. 72, p. 489.

Georgia would be insufficient to block congressional action, and the interest of the South could be infringed by the rest of the nation. He predicted a great increase in wealth, population, and importance for the southern states and regretted that "states possessing more than one half of the whole territory of the Confederacy; and forming . . . the body of the southern interest" could be overruled. For nine votes, he urged, substitute eleven voices for affirmative action.

In Drayton's criticism of other sections of the proposed Articles, he attacked the sixth article, which barred conferences by member states with any king, prince, or state. Interpreting "state" as another member of the Confederacy, he objected to the prohibition of consultations between two or more states. Moreover, he considered inadmissible the provision of the fourth article that "the free inhabitants of each of these states . . . shall be entitled to all privileges and immunities of free citizens in the several states." He posed the question, "Would the people of *Massachusetts*, have the free *Negroes* of *Carolina*, eligible to their general court?" [30] Thus Drayton not only spoke for a "southern interest," but also indicated what an important element of this "interest" might be. There is a hint of disagreement between him and Henry Laurens on attitudes towards Negroes, since Laurens expressed himself as believing that slavery was a moral blight.

The last few months of Drayton's life were marked by increasing personal bitterness between him and Laurens. The latter wrote scathingly of his colleague's "very ignorant harangue" in a congressional debate, and scoffed at the Dickinson-Drayton resolution that Congress should join the army and fight.[31]

The last session of Congress at which we can be sure Drayton was present was August 7, 1779.[32] Shortly after that time he became ill with a "putrid fever." He died September 3, after an at least superficial reconciliation with Laurens on his deathbed.[33] Laurens and John Mathews, surviving members of the South Carolina delegation, were named administrators of Drayton's affairs at Philadelphia. It seems to have been Laurens who ordered the destruction of many of Drayton's papers.[34] John Drayton, who later edited his father's memoirs, declared

[30] Hezekiah Niles, Compiler, *Principles and Acts of the Revolution in America* (Baltimore, 1822), pp. 98-115.

[31] Laurens to John Laurens, July 17, 1779, this *Magazine*, VI (1905), 144-146.

[32] *Journals*, XIV, 939.

[33] Laurens to R. H. Lee, Aug. 31, 1779, *Letters*, IV, 395.

[34] Drayton, *Memoirs*, I, vii.

that it was thought unwise that these papers, containing "secrets of State," should fall into the hands of his heirs.

It is interesting to speculate on the contents of the destroyed material. Drayton had been collecting data for a history of the war. Anti-Laurens sentiments may possibly have been included. It is known that he had secured for inclusion in the history a letter from Charles Thomson, an opponent of Laurens, in which Thomson defended the conduct of John Dickinson, another adversary.[35] It may be that Laurens was motivated by desires other than the security of the United States when he directed the destruction of the papers.

[35] *Pennsylvania Magazine of History and Biography*, II (1878), 411-423.