

THE
SOUTH CAROLINA
HISTORICAL MAGAZINE

OCTOBER 1975

VOLUME 76

NUMBER 4



COPYRIGHT © 1975 BY

THE SOUTH CAROLINA HISTORICAL SOCIETY
CHARLESTON, S. C.

CONTENTS

Articles:	PAGE
Prelude to War: The First Battle of Ninety Six, November 19-21, 1775, by Marvin L. Cann	197
A Demographic History of Slavery: Georgetown County, South Carolina, 1850, by Sherman L. Ricards and George M. Blackburn	215
"South Carolina University—1876" of Fisk Parsons Brewer, edited by William P. Vaughn	225
Letter of William Henry Timrod, contributed by Joseph I. Waring	232
Hair Family Cemetery, contributed by Charles F. Jumper	234
Captain Florence O'Sullivan and the Origins of Carolina, by Patrick Melvin	235
The Schirmer Diary	250
Book Reviews and Notes:	
Lumpkin, <i>The Emancipation of Angelina Grimke</i> , by Edward McCrady	253
Hemphill, <i>The Papers of John C. Calhoun, Volume VIII, 1823-1824</i> , by David Rison	257
Birnie, <i>The Earles and the Birnies</i>	177
From the Society	259
From the Archives: The New State Records Center, by William F. Duncan	264
Index	269

PRELUDE TO WAR: THE FIRST BATTLE OF NINETY SIX

November 19 - 21, 1775

MARVIN L. CANN °

The American Revolution was not only a conflict between the colonies and the British government, but also a civil war in which Americans of different political persuasions took up arms against each other. One of the earliest engagements between loyalists and patriots occurred in the South Carolina backcountry at the courthouse village of Ninety Six on November 19-21, 1775.

A complex sequence of events led to the autumn confrontation near Ninety Six Court House. When news of the skirmish at Lexington and Concord reached Charleston, the South Carolina Provincial Congress, an extralegal body which provided leadership to the patriot cause, reconvened on Sunday, June 4, 1775, and after divine services, created a provisional government in a document called the Association.

The Provincial Congress circulated the Association throughout the colony and urged people to sign it. Those who endorsed the Association recognized the legitimate authority of the patriot regime and pledged themselves "under every tie of religion and honor" to defend South Carolina "against every foe. . . ." This obligation was to continue "until a reconciliation shall take place between Great Britain and America. . . ." Any person who refused to sign the Association would be regarded as "inimical to the liberty of the Colonies. . . ." ¹

To prepare for an armed confrontation with Britain which patriot leaders expected, the Provincial Congress organized a military force to serve the provisional government. South Carolina had a militia of twelve thousand men, commanded by the royal governor, but these units included men of all political persuasions and could not be relied upon to support the patriot cause. Consequently, the Provincial Congress voted to raise three regiments of militia—two line regiments from the coastal region and the Third Regiment of Rangers, or mounted infantry, organized in the interior. The Congress issued commissions in the Third Regiment to Lieutenant-Colonel William Thomson and Major James Mayson.

° Professor of History, Lander College, Greenwood.

¹ Edward McCrady, *The History of South Carolina in the Revolution, 1775-1780* (New York: MacMillan Company, 1902), pp. 3-5.

Company grade officers of the Rangers were Captains Samuel Wise, Ezekiel Polk, John Caldwell, Ely Kershaw, Robert Goodwyn, Moses Kirkland, Edward Richardson, Thomas Woodward, and John Purves.²

In June, 1775, the Council of Safety, an executive committee of the Association, ordered William Thomson to station the first company of Rangers at Fort Charlotte on the Savannah River. Major James Mayson, accompanied by Captains Caldwell and Kirkland, left Ninety Six and marched to Fort Charlotte on July 12. The fort was garrisoned by George Whitefield's company of royal militia, but a number of men who defended the fort at night were out at work. Captain Whitefield, whose fifteen men were no match for the fifty-one Rangers with Mayson, surrendered the post to the Council's authority without resistance. Because of family ties, Captain Whitefield probably was sympathetic to the patriot cause. In 1771 he had married Frances Tyler, the sister of Mrs. Andrew Williamson and Mrs. LeRoy Hammond. Major Williamson and Captain Hammond emerged as patriot leaders in the backcountry and Whitefield apparently shared their political views. Mayson "took out the two Brass Pieces and Some ammunition & sundry other Articles" and returned to Ninety Six. He left Caldwell's company to hold Fort Charlotte.³

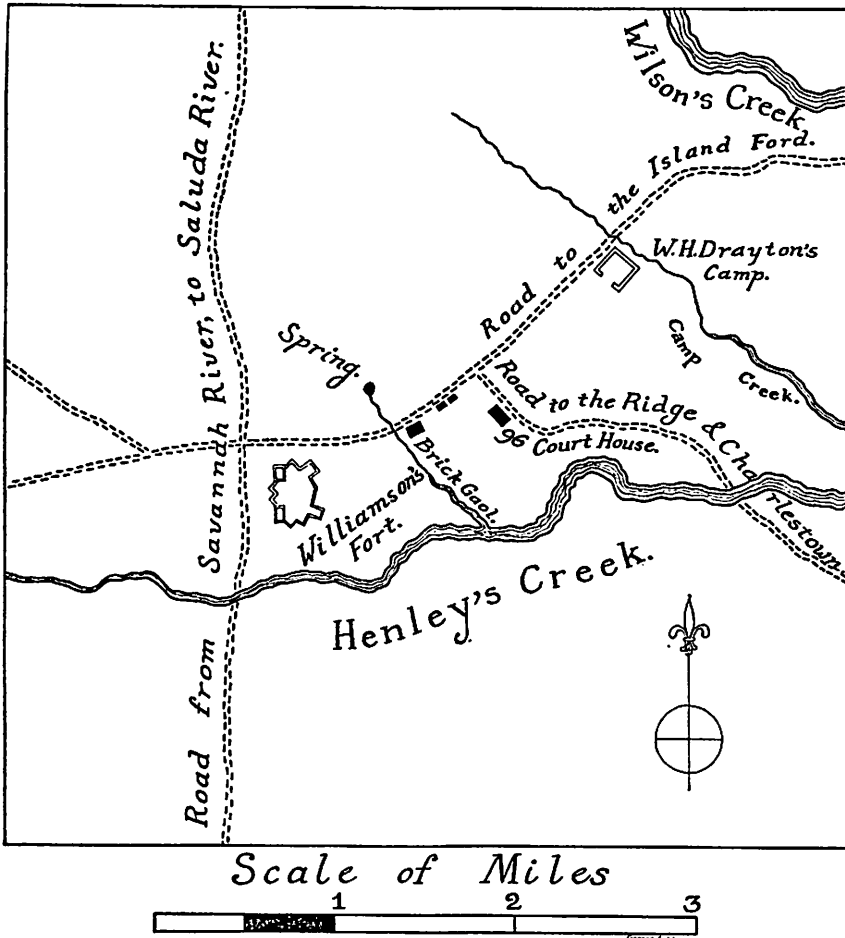
When backcountry loyalists learned of the Fort Charlotte raid, they marched on the patriot headquarters at Ninety Six. Mayson reported that at noon on July 17, "a Party of about 200 disaffected People . . . headed by Rob^t + Patrick Cunningham, and major [Joseph] Robinson . . . came to Ninety Six all armed with Rifles. . . ." They surrounded the courthouse and "demanded the Powder . . . for the King. . . ." Mayson was arrested and "Committed to Gaol" while the loyalists removed "everything that came from Fort Charlotte" except the two field pieces. About 9:00 p. m. the loyalists released Mayson and dispersed.⁴

Captain Moses Kirkland, who apparently was impressed by this demonstration of loyalist strength, defected to the Crown. Kirkland informed Mayson that he intended to resign his commission and left

² Nora Marshall Davis, *Fort Charlotte on the Savannah River and Its Significance in the American Revolution* (Star Fort Chapter, D.A.R., 1949), p. 12; see also McCrady, *History, 1775-1780*, pp. 11-12.

³ James Mayson to William Thomson, July 14, 1775, in "Papers of the First Council of Safety of the Revolutionary Party in South Carolina. June-November, 1775," *The South Carolina Genealogical and Historical Magazine* (January, 1900), I, 40-44; see also John H. Logan, *A History of the Upper Country of South Carolina from the Earliest Periods to the Close of the War for Independence*. (Charleston: S. C. Courtenay & Co., 1859), pp. 316-317.

⁴ Mayson to Thomson, July 18, 1775, in *ibid.*, 44-47.



Adapted by George C. Wing from John Drayton's *Memoirs of the American Revolution*

Ninety Six with his Ranger company. Mayson hoped Kirkland would change his mind because "if he is harty in the Cause he would make an Excellent Officer. . . ." ⁵

Colonel Thomas Fletchall, a wealthy planter who lived near Fairforest, commanded the Upper Saluda militia and was one of the most influential men in the backcountry. The Provincial Congress tried to win Fletchall's support by appointing him to a committee to enforce a boycott against British goods, but by July 1775, it was clear that Fletchall

⁵ *Ibid.*

could not be swayed from his allegiance to the Crown.⁶ On July 4, the Council asked Fletchall to muster the Upper Saluda militia to allow the men to sign the Association. Fletchall mustered his regiment on July 13 and Major Champless Terry, his executive officer, read the Association provisions to each company. "I don't remember that one man offered to sign it," Fletchall reported to the Council, "[and it] was out of my power to compel them too. . . ."⁷ Instead Fletchall allowed his men to sign a set of resolutions drafted by Major Joseph Robinson of the New Acquisition militia regiment. These resolves denied that the king had forfeited the colonists' allegiance or abridged their constitutional rights. Fletchall's men refused to bear arms against the king, but asked to be left in peace by those who disagreed with them.⁸

On July 14, 1775, Henry Laurens, president of the Council of Safety, made a final appeal for Fletchall's support. The British had begun a war in New England, he argued, to force all Americans "to submit to Acts of Parliament which are founded in injustice, and . . . cannot be supported by reason. . . ." South Carolina was threatened by an invasion of "the British soldiery" and by Indian attacks sponsored by the Crown. Because of these dangers, the Council was anxious to identify "friends upon whom we may firmly rely for aid in the day of trial." Reports had reached the Council, Laurens wrote, that Fletchall had been "covertly taking an active part against us." He insisted that Fletchall openly declare "whether you chose to join the friends of the glorious cause of freedom . . . or . . . to aid and abet the tools of despotism. . . ."⁹ Fletchall rejected this appeal and replied: "I am heartily sorry that I am looked on as an enemy to my country. . . . But . . . I am resolved, and do utterly refuse to take up arms against my king. . . ."¹⁰

By mid-summer conditions in the backcountry aroused grave apprehension among patriot leaders. The patriot cause had only limited support among the settlers of the interior. Reports from the Ninety Six district indicated that possibly a majority of the inhabitants was "quite

⁶ Christopher Ward, *The War of the Revolution*. 2 volumes (New York: Macmillan Company, 1952), II, 659.

⁷ Thomas Fletchall to President of Council of Safety [Henry Laurens], July 24, 1775, in Robert Wilson Gibbes, ed., *Documentary History of the American Revolution, 1764-1776* (New York: D. Appleton & Company, 1855), pp. 123.

⁸ Robert McCluer Calhoun, *The Loyalists in Revolutionary America, 1760-1781* (New York: Harcourt Brace Jovanovich, Inc., 1965), p. 453.

⁹ Henry Laurens to Thomas Fletchall, July 14, 1775, in "Journal of the Second Council of Safety," *Collections of the South Carolina Historical Society*, III, 40-43.

¹⁰ Fletchall to Laurens, July 24, 1775, in Gibbes, *Documentary History, 1764-1776*, p. 124.

comfortable under British rule" and was "passively, if not actively, disaffected from the American cause."¹¹ Rumors circulated in Charleston that Lord William Campbell, the new royal governor, had corresponded with the King's friends in the interior and was plotting against the provisional government.

The Council was also disturbed by the number of able and influential leaders among backcountry loyalists. In addition to Fletchall, Robinson, and the Cunningham brothers, a young Georgia planter, Thomas Brown, emerged as a vindictive loyalist because of persecution by Augusta patriots. When he refused to endorse the Georgia Association, local Sons of Liberty assaulted Brown in his home and tortured him by applying burning splinters to his feet, an injury which crippled Brown for several months. The patriots shaved Brown's head and "exhibited [him] in a cart" through the streets of Augusta. Brown was forced to swear allegiance to the provisional government, but fled to join Colonel Fletchall when he was released.¹²

The patriots tried, without success, to persuade Alexander Cameron, deputy superintendent of Indian affairs, to support the Association. On July 23, 1775, the Council sent Cameron a proposal through his friend, Major Andrew Williamson. The Council offered Cameron a salary equal to his British pay and guaranteed he would suffer no financial losses by aiding the patriots. Cameron refused the offer and "went off immediately from Ninety Six into the Cherokee country. . . ." The Council feared that Cameron planned to provoke a Cherokee attack on backcountry patriots, although he denied that suspicion in a letter to Williamson.¹³

Clearly loyalist sentiment was increasing in the backcountry and a campaign to promote the patriot cause was essential. On July 23, the Council voted to send William Henry Drayton and the Reverend William

¹¹ Wallace Brown, *The King's Friends: The Composition and Motives of the American Loyalist Claimants* (Providence: Brown University Press, 1965), p. 226.

¹² *Georgia Gazette*, August 30, 1775; see also James H. O'Donnell, "A Loyalist View of the Drayton-Tennent-Hart Mission to the Up Country," *The South Carolina Historical Magazine*, LXVII (January, 1966), 15-16.

Although many secondary works state that Brown was "tarred and feathered" by the patriots, Brown himself only referred to other rough treatment at the hands of the Liberty Boys.

Brown may have been related by marriage to Colonel Thomas Fletchall, whose wife was Leah Brown. See E. Alfred Jones, ed. "The Journal of Alexander Chesney, a South Carolina Loyalist in the Revolution and After," *The Ohio State University Bulletin*, XXVI (October 30, 1921), 72.

¹³ William Moultrie, *Memoirs of the American Revolution*, 2 volumes (New York: David Longworth, 1802), I, 76.

Tennent, minister of the Presbyterian Church in Charleston, as commissioners to the backcountry settlements

to explain to the people at large the nature of the unhappy public disputes between Great Britain and the American Colonies—to endeavor to settle all political disputes between the people—to quiet their minds, and to enforce the necessity of a general union in order to preserve themselves and their children from slavery. . . .

The Council also dispatched Joseph Kershaw, Richard Richardson, and a Charleston Baptist minister, Oliver Hart, to visit some of the backcountry settlements.¹⁴

The late summer pilgrimage of Drayton and Tennent into the up-country, designed to convert potential loyalists into sound patriots, met with little success. In a series of public meetings which combined elements of political rally and religious revival, Drayton and Tennent preached the message of rebellion with evangelical fervor and urged their audiences to endorse the Association. The response was unenthusiastic.

Drayton held a meeting at a Lutheran church near the Saluda River where he “thought it prudent to mix many texts of Scripture” into his speech against British tyranny. “To my great surprise,” he reported, “Only one of the congregation subscribed to the association.” Later Drayton held a rally at Evan McLaurin’s store in the forks of the Broad and Saluda rivers. A large group of German settlers listened to Drayton’s appeal. Some had already heard his message twice “without the desired effect” and no one accepted the Association. Drayton charged that McLaurin had used his influence to prevent the people from supporting the patriot cause and warned “the Dutch are not with us.”¹⁵

The most dramatic confrontation of the journey occurred on August 17, 1775, when Tennent and Drayton “visited the great and mighty nabob Fletchall. . . .” They found the colonel “surrounded by his Court” which included Robert Cunningham, Thomas Brown, and Joseph Robinson. Tennent reported that “reasoning was vain with those who were fixed by Royal emoluments.”¹⁶

¹⁴ Council of Safety to William Henry Drayton, July 23, 1775, in Gibbes, *Documentary History, 1764-1776*, p. 106; see also William M. Dabney and Marion Dargan, *William Henry Drayton and the American Revolution* (Roswell: University of New Mexico Press, 1962), p. 93.

¹⁵ Drayton to Council of Safety, August 16, 1775, in Gibbes, *Documentary History, 1764-1776*, p. 141.

¹⁶ William Tennent to Henry Laurens, August 20, 1775, in *ibid.*, p. 145.

In a "three hour private conversation," Drayton made a final appeal for Fletchall's support: "We endeavored to explain everything to him. We pressed them upon him. We endeavored to show him that we had a confidence in him. We humored him. We laughed with him. . . ." Those persuasive efforts failed. Fletchall only promised "never to take up arms against the king, or his countrymen" and offered his opinion that patriot actions were "impolitic, disrespectful and irritating to the king."¹⁷

Tennent charged that the principal loyalists took "inexpressible pains . . . to blind the people and fill them with bitterness" against the American cause. Major Robinson, who had recently met Governor Campbell in Dorchester, had "attempted to enlist many in the king's name" by promising regular military pay.¹⁸

As a result of this conference, Fletchall agreed to summon his regiment on August 23 at Ford's-on-Enoree to hear Drayton's appeal for the Association. At the muster, Drayton was certain Fletchall had broken the spirit, if not the letter, of the agreement. Few of Fletchall's command attended the muster. The regimental captains—Thomas Brown, Moses Kirkland, and Patrick Cunningham—allowed their men "to come or not as they pleased." About seventy men signed the Association, but Drayton conceded that most were not new converts and "a great many . . . were our friends from other parts" of the province.

Drayton reported that Brown and Kirkland employed "every indecency of language, every misrepresentation, every ungenerous and unjust charge . . . that could alarm the people" and give an evil impression of the Association's purpose. Brown "loudly declared" his intention to join the king's troops when they arrived and expressed the hope that every man in the audience would do likewise.¹⁹ Drayton considered Brown "as dangerous a man as any in this Colony" and believed he would do anything "to throw our affairs into utter confusion."²⁰

"Vigorous measures are absolutely necessary," Drayton warned. "If a dozen persons are allowed to be at large . . . we shall be involved in a civil war. . . ." ²¹ Reports from Drayton alarmed the Council of Safety, and on August 31, 1775, it gave Drayton full authority to restore "the

¹⁷ William Henry Drayton to Council of Safety, August 21, 1775, in *ibid.*, p. 150.

¹⁸ Tennent to Laurens, August 20, 1775, in *ibid.*, pp. 145-146.

¹⁹ Drayton and Tennent to Council of Safety, August 24, 1775, in *ibid.*, pp. 156-157.

²⁰ Drayton to Council of Safety, August 21, 1775, in *ibid.*, p. 149.

²¹ *Ibid.*, p. 153.

country to a state of quietude by eradicating the opposition." On September 11, Drayton reported his initial actions to the Council. He had established his headquarters at Ninety Six and assembled 225 patriot militia. He had dispatched militia parties to capture Moses Kirkland, Thomas Brown, and Robert Cunningham. Cunningham was not at home when the militia reached his plantation, but the soldiers ransacked his house and seized several incriminating letters from Colonel Fletchall.²²

Thomas Brown thought the patriot militia was composed "of the most notorious Horse thieves in this Province. . . ." To avoid the patrols "who were constantly lurking about our Plantations, Captain Cunningham + I were constantly on the Wing. . . ." ²³

In response to news that loyalists were gathering near Saluda River in force, Drayton issued a proclamation on September 13, 1775, condemning the prominent backcountry loyalists. He charged that they hoped "to rise in the world by misleading their honest neighbors . . . and wickedly selling their country. . . ." They had engaged in "fraud and misrepresentation" to organize an opposition to the provisional government. They had deceived the people "by filling their minds with fears . . . that their lives and properties are in danger from the designs of the Congress, the Honourable Council of Safety . . . and the troops under my orders. . . ." Drayton insisted that those fears were "groundless."

Although the patriots abhorred the idea of forcing any person to accept the Association, those who refused could not "be considered as friendly. . . ." Drayton warned that he would "march and attack, as public enemies . . . every person in arms . . . in opposition to the measures of Congress."²⁴

Drayton outlined his future strategy in a letter to the Council. On September 14, he planned to march "into the heart of Fletchall's quarters with about 800 men and 6 pieces of cannon." He thought "in all human probability, this cruel opposition will be crushed without blood spilt in battle" and "will be rooted out without risk on our side."²⁵

Before Drayton could execute his plan, Fletchall's loyalist army materialized only four miles from Ninety Six. The eruption of full-scale civil war in the backcountry seemed imminent. A conflict was prevented

²² Drayton to Council of Safety, September 11, 1775, in *ibid.*, pp. 171-173.

²³ Brown to Campbell, October 18, 1775, in O'Donnell, "A Loyalist View," *SCHM*, LXVII (January, 1966), 18.

²⁴ "Proclamation of William Henry Drayton," September 13, 1775, in Gibbes, *Documentary History, 1764-1775*, pp. 180-182.

²⁵ Drayton to Council of Safety, September 11, 1775, in *ibid.*, p. 174.

when Fletchall agreed to settle the disagreement in conference with Drayton.

On September 16, 1775, Colonel Fletchall, accompanied by Captains John Ford, Thomas Greer, Evan McLaurin, Benjamin Wofford, Mr. Robert Merrick, and the Reverend Philip Mulkey, arrived at Ninety Six. Drayton and Fletchall negotiated a treaty to restore peace. The preamble to this accord blamed the crisis on misunderstandings which "too often percipitate men and friends into quarrels and bloodshed. . . ." The loyalists stated that no "ill or even unfriendly principle" caused them to reject the Association. They wanted to live in "peace and tranquility" with their neighbors and promised never to "aid, assist or join" British troops sent to the colony. The loyalists recognized the Council's authority to arrest and imprison any person who criticized or opposed the provisional government. The patriots guaranteed the "lives, persons and property" of those who refused to sign the Association.²⁶ The Treaty of Ninety Six was, in effect, a pledge of neutrality given because Fletchall was unwilling to commit the first act of aggression and lead his men into a civil war with no guarantee of immediate British support.

Many loyalists were dissatisfied with the agreement. Thomas Brown reported that Fletchall was extremely apprehensive about meeting Drayton. To revive his spirits, Fletchall "had such frequent Recourse to the Bottle" that he became drunk and accepted terms which Drayton dictated. Fletchall was hardly aware of his actions when he signed the treaty but prevailed upon the other loyalist delegates "to follow his example." Philip Mulkey and Robert Merrick, however, protested the unreasonable terms and refused to endorse the agreement.²⁷

Since Drayton assumed "Fletchall and his people will be true," he thought loyalist opposition in the backcountry was "now crushed." Robert and Patrick Cunningham emerged as leaders of a loyalist faction which refused to accept the treaty and bitterly criticized Fletchall for signing it, but Drayton reported that most loyalists would abide by the agreement and that the sixty dissidents with Cunningham were under careful surveillance.²⁸ Drayton considered his mission a success and soon returned to Charleston where he was elected president of the Provincial Congress on November 1, 1775.

²⁶ "Treaty of Ninety Six, September 16, 1775," in *ibid.*, pp. 184-186.

²⁷ Brown to Campbell, October 18, 1775, in O'Donnell, "A Loyalist View," *SCHM*, LXVII (January 1966), 23.

²⁸ Drayton to Council of Safety, September 21, 1775, in Gibbes, *Documentary History, 1764-1776*, p. 188.

The Treaty of Ninety Six secured only a temporary and uneasy peace at best. Drayton underestimated the Cunningham brothers who had greater influence in the backcountry than he realized. They were dissatisfied with political neutrality and were determined to remain loyal to the king. On September 21, Drayton wrote to Robert Cunningham asking if he would accept the terms of the treaty. As Drayton feared, Cunningham's reply was not encouraging:

I must confess I do not hold with that peace. . . . [it] is false and disgraceful from beginning to end. It appears to me, sir, you had all the bargain-making to yourself. . . . I expected you would have acted with more honor than [to have] taken advantage of men . . . half scared out of their senses. . . .²⁹

Since Cunningham's attitude obviously threatened the peace, the Council of Safety acted quickly to remove the hazard. Late in October, 1775, the Council ordered Cunningham's arrest, and on November 1, received word of his capture by Major Andrew Williamson. Cunningham, charged in an affidavit by Captain John Caldwell with using "seditious words," was brought to Charleston for a hearing before the Provincial Congress. Cunningham conceded his refusal to accept the Treaty of Ninety Six, but denied spreading seditious ideas or threatening civil war. Nevertheless, he was committed to the Charleston jail for an indefinite term. "The arrest of Cunningham was deeply resented by the people of the Up Country" and his imprisonment sparked a revolt against the Provincial Congress, already widely viewed as a rebel organization on the brink of armed revolt against Great Britain.³⁰

Patrick Cunningham assumed the mantle of loyalist leadership. He considered marching on Charleston to free his brother, but that was impossible and another means of striking at the Council lay closer at hand.

During his backcountry tour, Drayton conferred with the Cherokee headmen at the Congarees. He assured them they had nothing to fear from the provisional government and attempted to win them from the British alliance. If war with England came, it was essential to have the Cherokee Nation neutral. To demonstrate patriot friendship for the Indians, Drayton promised the Cherokees a supply of powder and lead for the winter hunt. On his recommendation, the Council of Safety dispatched one thousand pounds of powder and one thousand pounds of lead to Keowee.

²⁹ Robert Cunningham to Drayton, October 5, 1775, in *ibid.*, p. 200.

³⁰ McCrady, *History, 1775-1780*, p. 86.

Captain Richard Pearis, a militia officer who accompanied Drayton in the meeting with the Cherokees but switched his allegiance to the loyalist faction because he was passed over for promotion, circulated the rumor that the Council was arming the Cherokees for a loyalist massacre. Frontier patriots, "distinguished by a Piece of Bear's skin, a Deer's tail, or a piece of white Paper wore in their hats," would be spared in the conflagration.³¹ The rumor was accepted as true by those who were inclined to believe the worst about the patriot leaders and Cunningham had no difficulty assembling a raiding party to seize the wagon and munitions.

On October 25, 1775, Laurens instructed Colonel William Thomson to provide an armed guard to escort the powder wagon to Keowee where Edward Wilkerson, a provincial Indian agent, would distribute the ammunition to the Cherokees for the winter hunt. He explained that the decision to supply ammunition to the Indians was made after "mature consideration" in the Council, discussion with Georgia patriots, and under sanction of the Continental Congress.³²

On Tuesday, October 31, Moses Cotter, a wagon driver who was hauling the ammunition from Charleston, left the Congarees about 9:00 a. m. with a Ranger escort. The guard detachment consisted of Lieutenant-Colonel Thomas Carleton, Cadet Uriah Goodwin, two sergeants and eighteen privates.

About noon Cotter was stopped by Patrick Cunningham and Jacob Bowman with 150 loyalists about seventeen miles from Ninety Six. They asked what Cotter had in the wagon and he replied 'rum'. Cunningham announced they were seizing the powder in the King's name. The loyalists removed the kegs of powder and cut the lead bars into small pieces with tomahawks.

While the loyalists were busy removing the ammunition, the Ranger escort appeared in the distance. Some loyalists promised Cotter "we will soon blow them to hell!" Cunningham's men hid in the trees along the road and surrounded and disarmed the Rangers when they rode up. Directing Cotter to return to the Congarees, Cunningham's party marched off with the ammunition and the Ranger prisoners, who were soon released. Cotter went directly to Ninety Six and reported the incident to Major James Mayson.³³

³¹ South Carolina *Gazette*, November 29, 1775.

³² Henry Laurens to William Thomson, October 25, 1775, in "Papers of the First Council of Safety," *SCGHM*, III (April, 1902), 80-81.

³³ Affidavit of Moses Cotter, November 3, 1775, in Moultrie, *Memoirs*, I, 97-99; see also Hugh McCall, *The History of Georgia* (Atlanta: Cherokee Publishing Com-

Major Andrew Williamson, commanding the militia camped on Long Cane Creek, received word of Cunningham's raid from Mayson. He intended to join the troops from Ninety Six and "retake that ammunition and bring those people to justice who committed this act." Williamson believed "when they see their error and my force . . . they will give up the ammunition, and the people who committed the robbery."⁸⁴

Williamson remained in camp for a fortnight, organizing the militia who reported for duty. When he requested assistance from Georgia patriots, Captains Jacob Colson and James McCall joined him with seventy men.⁸⁵ Williamson's force eventually numbered 563 officers and men.⁸⁶

Meanwhile, Cunningham had established a camp which was well furnished "with every Necessary of Life. . . ." Until the powder wagon raid, the loyalist "stock of Ammunition [was] . . . rather small. . . ." ⁸⁷ Cunningham's faction, encouraged by the acquisition of additional ammunition and disturbed by the rumor of a pending Indian massacre, grew to 1,890 men.⁸⁸

Williamson received word that the loyalists were planning to attack Ninety Six, but dismissed that report as an unlikely rumor. On November 18, 1775, when Williamson learned that Cunningham's army had crossed Saluda River at the Island Ford, he finally understood that danger was imminent. Major James Mayson urged Williamson to intercept the loyalists, but a council of war, composed of the patriot officers, decided on a forced march to Ninety Six. The patriots, who were badly

pany, 1909), p. 293; and "Papers of the First Council of Safety," *SCGHM*, III (April, 1902), 69-85.

⁸⁴ Andrew Williamson to Edward Wilkerson, November 6, 1775, in Gibbes, *Documentary History, 1764-1776*, pp. 209-210.

⁸⁵ McCall, *History of Georgia*, p. 293.

⁸⁶ "A Report of the Militia and Volunteers on Duty in the Fortified Camp at Ninety Six. . . ." in Gibbes, *Documentary History, 1764-1776*, p. 221.

Staff and company officers with Williamson included: James Mayson, John Bowie, George Reed, Andrew Pickens, Aaron Smith, Benjamin Tutt, Andrew Hamilton, Thomas Langdon, Adam C. Jones, Matthew Berand, Charles Williams, Francis Logan, Alexander Noble, John Anderson, James Williams, Robert McCreery, John Rodgers, Jacob Colson, Hugh Middleton, Francis Siquefield, James McCall, David Hunter, John Erwin, Robert Anderson, Nathaniel Abney, William Wilson, and "Jos. Hamilton's Artillery."

⁸⁷ Brown to Campbell, October 18, 1775, in O'Donnell, "A Loyalist View," *SCHM*, LXVII (January, 1966), 18.

⁸⁸ John Drayton, *Memoirs of the American Revolution*. 2 volumes (Charleston: A. E. Miller, 1821), II, 116.

outnumbered, planned to take a defensive position on Colonel John Savage's plantation which lay across a deep ravine 250 yards from the village jail. This position was selected because it provided open fields of fire in which the patriots could use their three swivel cannon effectively.³⁹

Williamson's men broke camp Saturday night, November 18, and marched toward Ninety Six, reaching the village at daylight. The patriots constructed a rude fort "of old fence rails joined to a barn and some outhouses. . . ." Some parts of the "rustic fortification" were made of "straw with some beeves' hides" which were probably stored in the barn.⁴⁰

About 11:00 a. m. on Sunday, before the patriot fort was completed, Cunningham's army arrived at Ninety Six "with drums beating and colours flying. . . ." The loyalists lightly garrisoned the court house and brick jail and surrounded the make-shift stockade. Apparently neither side was anxious to make the next move. Williamson sent Major Mayson and Captain John Bowie to confer with Major Joseph Robinson, Captain Patrick Cunningham, and Captain Evan McLaurin between the lines in full view of both sides. The loyalists demanded the immediate surrender and evacuation of the fort which Williamson refused.⁴¹

Shortly before three o'clock in the afternoon, loyalist soldiers seized two of Williamson's men who wandered outside the fort, perhaps to get a drink of water from a nearby stream. Williamson ordered his men to fire an opening volley which loyalists answered "with rifles and muskets, from behind houses, trees, logs, stumps, and fences." This initial skirmish continued for two and one-half hours, until darkness made accuracy

³⁹ *Ibid.*, 117; see also Mayson to Thomson, November 24, 1775, in Gibbs, *Documentary History, 1764-1776*, p. 215.

A swivel gun was a light cannon which fired a three-pound ball. It was mounted on a post and could cover a range of 360°.

⁴⁰ Williamson to Drayton, November 25, 1775, in Gibbs, *Documentary History, 1764-1776*, pp. 216-217; see also Drayton, *Memoirs*, II, 118.

Stanley South of the Institute of Archeology and Anthropology, University of South Carolina, excavated the patriot fort site in 1972. He found that the fence rails were "set in palisade trench in the traditional stockade manner," enclosing an area 85 x 150 feet, with evidence of three structures inside the lines. Near Savage's barn there was a small bastion which contained one swivel gun position. See Stanley South, "Archeological Excavation at the Site of Williamson's Fort of 1775, Holmes' Fort of 1780, and the Town of Cambridge of 1783-1850's," Division of Advanced Studies and Research, Institute of Archeology and Anthropology, University of South Carolina, 1972, pp. 24-28.

⁴¹ Williamson to Drayton, November 25, 1775, in Gibbs, *Documentary History, 1764-1776*, pp. 216-217.

impossible. Sporadic firing through the night had little effect, and heavy firing resumed early Monday morning.⁴²

On Monday, November 20, the loyalists "set fire to the Fences and old Grass in the Fields" around the fort, intending to "attack . . . from behind the Smoak; but the Ground was too wet. . . ." The patriots were determined to extinguish the fire "at any Risk," had it been necessary. When that strategy failed, John M. Williams supervised the construction of a mantelet, a "kind of rolling Battery," which the loyalists planned to use as a shield to approach Colonel Savage's barn with incendiaries. The mantelet did not operate properly, perhaps because it offered insufficient protection from patriot cannon, and the loyalists "set Fire to their Engine themselves."⁴³

The chief problem within the fort was a lack of water. Williamson and his staff had brought "thirty-eight barrels of flour with four live beeves" into the stockade, but when the loyalists seized the jail overlooking the only stream, the patriots had no water supply. Williamson set fatigue parties to work digging a well inside the fort and they "got very good water on the third day, after digging upwards of forty feet. . . ." Williamson thought his raw militia conducted themselves above "the most sanguine expectation" and reported that they "did not during a siege of near three days, without water, either murmur or complain, and cheerfully stood at their posts during three nights without fire. . . ."⁴⁴

By Tuesday afternoon, November 21, a patriot council of war decided "to make a vigorous Sally about Midnight. . . ." Captains Pickens, Middleton, Anderson, Sinquefield, and Colson, with twenty men each, were to coordinate an attack on five points on the siege line. Williamson instructed the sally parties "to endeavour making one sure Fire" and immediately retreat to the fort.⁴⁵

About sunset Tuesday, before the patriots were prepared to execute their sally, the loyalists signaled with a white flag from a jail window and requested a "cessation of Hostilities. . . ." Major Robinson sent "a messenger carrying a lighted candle" with a letter addressed to Major

⁴² Drayton, *Memoirs*, II, 118.

⁴³ *South Carolina and American General Gazette*, November 24-December 3, 1775; see also McCall, *History of Georgia*, p. 293, and "List of Prisoners sent to Charlestowne," in Gibbes, *Documentary History, 1764-1776*, p. 253.

A mantelet was a mobile shield to protect soldiers approaching an enemy position.

⁴⁴ Williamson to Drayton, November 25, 1775, in Gibbes, *Documentary History, 1764-1776*, p. 217.

⁴⁵ *South Carolina and American General Gazette*, November 24-December 3, 1775; see also McCall, *History of Georgia*, p. 294.

Mayson demanding that the garrison surrender. Captain Bowie carried the reply from Williamson and Mayson that they "*were determined never to resign their arms.*"⁴⁶ Bowie remained in the loyalist headquarters nearly two hours and returned to the fort with Patrick Cunningham. Williamson met them outside the stockade and invited Cunningham in to discuss "the claims and rights of each party. . . ." A two hour conference produced no accord, but the leaders agreed to meet again at 8:00 a. m. Wednesday.⁴⁷

On November 22, 1775, loyalist and patriot representatives met at a house in Ninety Six and quickly settled the terms for a cease-fire. The initial terms required that "hostilities . . . immediately cease on both sides. . . ." The patriots agreed to destroy their fort "without damaging the houses therein" and to fill the well; Major Robinson agreed to withdraw his loyalist force beyond the Saluda River. All prisoners captured by either side since November 2 would be released and no person would be molested on returning home. The loyalists would be allowed to send messages to the royal governor, Lord William Campbell, without interference while patriot commissioners conferred with the Council of Safety. Any patriot reinforcements sent to Major Williamson or Major Mayson would be bound by the cease-fire agreement.⁴⁸

These terms were agreed upon and ready for signing when four hundred loyalists surrounded the house where the leaders were meeting and demanded that the patriots surrender the swivel guns. Robinson declared on his honor that if Williamson would agree to surrender the guns they would be returned in three days. When he received the swivels from Robinson, Williamson sent them to Fort Charlotte.⁴⁹

⁴⁶ *South Carolina and American General Gazette*, November 24-December 3, 1775; see also Williamson to Drayton, November 25, 1775, in Gibbes, *Documentary History, 1764-1776*, p. 217, and Drayton, *Memoirs*, II, 119.

During the battle there were moments of discord within patriot headquarters. James Mayson was annoyed that Andrew Williamson had been given command in the backcountry. In a complaint to the Council of Safety after the battle, Mayson took credit for planning patriot strategy and negotiating the cease-fire. He threatened to resign his commission if the Council lacked confidence in him. The Council soothed Mayson's ruffled feelings by assuring him that no slight had been intended and that he was far too valuable to the cause to consider resigning. See Mayson to Thomson, November 24, 1775, in Gibbes, *Documentary History, 1764-1776*, pp. 215-216; and Drayton, *Memoirs*, II, 151.

⁴⁷ Drayton, *Memoirs*, II, 119.

⁴⁸ "Agreement for a Cessation of Arms Between Major Joseph Robinson . . . and Major Andrew Williamson. . . ." November 22, 1775, in Gibbes, *Documentary History, 1764-1776*, pp. 214-215.

⁴⁹ Williamson to Drayton, November 25, 1775, in *ibid.*, p. 218.

The loyalists apparently felt compelled to suspend hostilities for a variety of reasons. They may have learned that Colonel Richard Richardson was advancing with patriot reinforcements which would have ended their numerical superiority. A patriot officer at Ninety Six suggested that "some of our People, who were absent on Furlow when the Affair began" engaged the loyalists in skirmishes outside the fort. Moreover, Emanuel Miller deserted the patriots during the battle and warned the loyalists of the midnight sally which was planned.⁵⁰

Major Williamson reported to the Council of Safety that the agreement "was lucky for us, as we had not above thirty pounds of powder, except what little the men had in their horns. . . ." ⁵¹ When the agreement was reached, the patriots had nearly lost the ability to defend their position. A few rounds from the swivel guns would have exhausted their powder and might have brought a humiliating defeat.

When the battle ended, one patriot militiaman was dead and twelve wounded. James Birmingham, who was "wounded through the Body" on the first day of the battle, died on November 22. He left a "Widow and a large Family very poor" who received an annuity of one hundred pounds from the South Carolina General Assembly. Patriots who were severely wounded received smaller annuities. The loyalists reported that a Captain Luper was killed and several men wounded, although patriot leaders insisted they had inflicted much heavier casualties.⁵²

The battle of Ninety Six strengthened the Council's resolve to take decisive action against the loyalists. On November 8, 1775, the Provincial Congress voted to send Colonel Richard Richardson, the seventy-year-old patriarch of the patriot militia, to arrest the opposition leaders. Richardson mobilized 2,500 men and began a sweep into the interior. Al-

⁵⁰ *South Carolina and American General Gazette*, November 24-December 3, 1775; see also McCall, *History of Georgia*, p. 295, and "List of Prisoners Sent to Charlestown," in Gibbes, *Documentary History, 1764-1776*, p. 251.

⁵¹ Williamson to Drayton, November 25, 1775, in Gibbes, *Documentary History, 1764-1776*, p. 218.

⁵² William Edwin Hamphill, Wylma Anne Wates, and R. Nicholas Olsberg, eds., *The State Records of South Carolina: Journals of the General Assembly and House of Representatives, 1776-1780* (Columbia: University of South Carolina Press, 1970), pp. 35-36; see also Mayson to Thomson, November 24, 1775, in Gibbes, *Documentary History, 1764-1776*, pp. 216-217.

The patriot wounded included William Dunlop, Robert Cosby, John Wilson, _____ Patterson, John Calhoun, _____ Johnston, _____ Boles, and _____ Trentham.

David Ramsay identified the dead patriot as Monsieur St. Pierre, a Frenchman who had established a vineyard near Abbeville, South Carolina. This seems incorrect since M. St. Pierre was appointed justice of the peace for Ninety Six District on March 30, 1776.

though the treaty signed at Ninety Six forbade aggressive action by patriot reinforcements, the Council of Safety insisted it did not apply to Richardson.⁵³

By the end of November, Richardson commanded four thousand men in the backcountry. He reported that many loyalists were "coming in with fear and trembling, giving up their arms. . . ." He dispatched a few prisoners to Charleston, but paroled most of the captives on an oath that they would end all opposition to the provincial government. He was still pursuing one loyalist band "consisting of the principal aggressors" which was camped on Cherokee land.⁵⁴

On December 21, a detachment of the patriot army raided the principal loyalist camp at the Great Cane Break. Several loyalists were killed and 130 were captured. Patrick Cunningham, who "escaped on a horse bare backed . . . and . . . without breeches," was the only important man in camp not taken captive. A winter storm which swept across the province the next day deposited fifteen inches of snow. Because his militia were not equipped for severe weather and the loyalist resistance was broken, Richardson ended the campaign and marched to the Congarees.⁵⁵

On January 2, 1776, Colonel Richardson sent 136 prisoners to Charleston under a guard detachment commanded by his son. Thirty prisoners had participated in Cunningham's raid on the powder wagon and eighty-eight attacked Ninety Six. Colonel Thomas Fletchall, Benjamin Wofford, Richard Pearis, and David Cunningham, a younger brother of Robert and Patrick, were among those captured. Other prisoners sent to Charleston included: Matthew Floyd, who had acted as a messenger for the royal governor; William Hunt, a mulatto captain; George Zuber, a militia captain accused of murdering a prisoner; Emanuel Miller, who deserted from the patriot militia at Ninety Six; James Burgess, "an old man, but bloody minded;" and John M. Williams, "the machine maker to set fire to the Ninety Six Fort."⁵⁶

Most of these prisoners were soon released as a conciliatory gesture to their backcountry friends. On January 14, 1776, for example, Colonel William Thomson reported to the Council the names of several prisoners "less criminal than the rest" who were fit to be discharged. William Hilburn, Samuel Proctor, William Burrows, Abraham Nabors, Daniel

⁵³ Laurens to Williamson, December 2, 1775, in "Journal of the Second Council of Safety," SCHS *Collections*, III, 48.

⁵⁴ Richard Richardson to Laurens, December 22, 1775, in Gibbes, *Documentary History, 1764-1776*, pp. 242-243.

⁵⁵ Richardson to Laurens, January 2, 1776, in *ibid.*, pp. 246-247.

⁵⁶ List of Prisoners Sent to Charlestown, in Gibbes, *Documentary History, 1764-1776*, pp. 249-253.

Alison, and Holloway Power were brought before the Council and released "after a proper lecture from the chair." Some of the principal loyalists, however, were held in Charleston jail until July 1776. These included Thomas Fletchall, Robert and Patrick Cunningham, Richard Pearis, Elisha Robinson, Pinkothman Hawkins, James Alexander, Thomas Wisdom, William Dodgen, Henry Green, and Robert Proctor.⁵⁷

Other backcountry loyalists, including some who fought at Ninety Six, left the province to escape capture. Thomas Brown went to Florida where he received a British commission as Lieutenant-Colonel of militia and recruited a refugee regiment, the Carolina King's Rangers. When the British occupied South Carolina and Georgia in 1780, Brown was given command of a fortress at Augusta.⁵⁸ Major Joseph Robinson, Moses Kirkland, Evan McLaurin, Daniel McGirth, and Alexander Cameron also escaped to the British sanctuary of East Florida.⁵⁹

Captain James Phillips and his militia company which had fought at Ninety Six made a remarkable escape. Eluding Richardson's force, Phillips led his men to their homes on Jackson's Creek, near the confluence of the Broad and Saluda rivers. A young loyalist, Alexander Chesney, volunteered to guide them to his father's plantation on the Pacolet River. Phillips and his men hid along the river for nearly two weeks until Chesney persuaded Charles Brandon, his brother-in-law, to lead them to Colonel Ambrose Mills' estate in North Carolina. Colonel Mills provided rations and furnished guides to lead Phillips' company through the Cherokee and Creek Indian lands to Florida. There they all enlisted in the South Carolina Royalist Regiment, commanded by Joseph Robinson, which later distinguished itself in the siege of Savannah.⁶⁰

The battle of Ninety Six was the beginning of a vicious civil war which raged across South Carolina until 1781. Although the Snow Campaign destroyed organized loyalist resistance, it did not bring peace to the province. Instead, the conflict became more savage and "whatever political issues had divided Whigs and Tories in earlier times were gradually lost in the confusion of Indian raids, massacres, family feuds, and plain banditry."⁶¹

⁵⁷ "Journal of the Second Council of Safety," SCHS *Collections*, III, 182-183; see also Hemphill, Wates, and Olsberg, eds., *Journals of the General Assembly*, p. 46.

⁵⁸ Wilbur Henry Siebert, *Loyalists in East Florida, 1774 to 1785*. 2 volumes (Deland: Florida State Historical Society, 1929), I, 84.

⁵⁹ *Ibid.*, 24-29.

⁶⁰ *Ibid.*, 31-33; see also E. Alfred Jones, ed., "The Journal of Alexander Chesney, a South Carolina Loyalist in the Revolution and After," *The Ohio State University Bulletin*, XXVI (October, 1921), 6.

⁶¹ William H. Nelson, *The American Tory* (Oxford: Clarendon Press, 1961), p. 149.