

contrary to His Majesty's just expectations, come to extremities, in which case you may be assured, that the security of our possessions in America will be a principal object of His Majesty's care and attention.

I am &c.
HILLSBOROUGH.

P. S. Since I wrote the above letter farther Advices from the Court of France have been communicated to me which confirm us in our hopes that the Peace may still be preserved. H.

[FROM MS. RECORDS IN THE OFFICE OF SECRETARY OF STATE.]

WHEREAS, some persons have been ungenerous enough to report, that Colonel Edmund Fanning is a mere dependant on the Crown, and therefore an improper person to represent the County of Orange in general Assembly; and as he is not here in person to defend his Character thus injured, by such report equally false, as it is ungenerous; We beg permission as lovers of truth and injured merit, and as enemies to falsehood and calumny, to submit to the consideration of the publick a few remarks, Viz^t.

Firstly. That those who propagate this report, are persons court-
ing the voice of popularity.

Secondly. That all those heretofore assenting to his representing them in general Assembly, have experienced his steady and unalterable attachment to the welfare and interest of his constituents.

Thirdly. That, as he again intends becoming an inhabitant of the county of Orange, where he holds a considerable property, and as he not only hath his whole fortune in America but is himself an American, it may well and reasonably be supposed, that he will in his legislative capacity contribute all that lyes in his power for the interest of this Province in general and of the County of Orange in particular.

That, it is true, he holds the office of Surveyor general of the province of New York under the Crown, but he holds it during his good behaviour, which in such cases is always for life and never forfeited but by misbehaviour in Office, and therefore such unjust aspersions against him in his absence, proceed merely from malice and a jealousy of his superior abilities and interest with the people.

Colonel Fanning's generosity public spirit & zeal for the good of Orange and Hillsborough are notorious even to his enemies: his property is considerable, and therefore the interest of the public must be his interest, — will any person then well acquainted with that Gentleman do him so much injustice, as to suppose even notwithstanding he were to hold the said office during pleasure, he would on that account betray the interest of his fellow subjects. Such a supposition, after repeated proofs to the contrary, discovers a degree of ingratitude which we hope few of this County possess.

That, to a generous mind, such an attempt to injure that Gentleman's character, must be compared to an Assassin who endeavours to stab in the dark, and is a proof of the baseness of the hearts of those who have made this vile attempt.

By several Freeholders of the County of Orange.

[B. P. R. O. AMERICA & W. IND. N. Y. VOL. 218.]

Petition of the Inhabitants of Orange County.*

TO MARTIN HOWARD CHIEF JUSTICE AND MAURICE MOORE AND RICHARD HENDERSON ASSOCIATE JUDGES.

The Humble Petition of the Inhabitants of Orange County humbly sheweth,

That as it is a Maxim in our Laws that no Law Statute or Custom which are against Gods Law or principalls of nature can be of any validity but are all null.

If therefore Laws themselves when against Reason and Justice are null and void much more the practice used by men in the Law which is contrary to the Law as well as Reason Justice and Equity ought to be condemned and surely it is against Justice Reason and Equity to exact Taxes and extort Fees that are unlawful from the poor industrious Farmers — Yet these are but a few of a great many more evils of that nature which has been of a long time our sad case and condition and to such a degree general among so many of the men of the Law that we quite despaired of any redress being to be had that way. But as you the Governor Kings Attorney General and other Gentlemen of the Law pledged to us your words your honours your oaths that we could and should be redressed by the Law it would be tedious as well as unnecessary to recite the

* Enclosed in Governor Tryon's letter of 20th October 1770.

world of fatigue expence and Trouble that we have been at to obtain redress in that way but in vain — for though so many of the Officers as has been convicted yet we can obtain none of our money back — but instead of refunding they still continue to take the same Fees James Watson and John Butler excepted — And notwithstanding the wheels in this work run so heavy we have so many of the Court Party against us yet we might nevertheless again^d our point could we have obtained Jurors of unprejudiced Men — for though the Law impowers the Justices of the Inferior Courts to appoint the Jurys yet it was to the end they might be chosen of unprejudiced Men, this was the spirit end and design of the Law — But it has so happened that too many of our Justices are partys concerned some of them being insolvent high Sheriffs themselves and others insolvent Sheriffs securities, yet under all this disadvantage as we labored against this very unfair dealing the goodness of our course and the uprightness of our Intentions gained ground with such Justices as was not parties concerned and for some Courts past a few of the Jurors was unprejudiced Men, but at our last Inferior Court Tyree Harris and Thomas Lloyd took a most notorious and bare faced advantage of choosing the Judges [juries] on the first day of the Court contrary to the known and usual custom and have made up the Jury mostly of Men well known to be prejudiced in favor of extortionate Officers and of such Officers themselves. Tyree Harris at whose instance we suppose it was done was high Sheriff for the years 1766 & 1767, whose accounts are yet unsettled, and likely we may be sued by the Treasurer as well as the Vestry to the Court besides almost may we believe every under Sheriff he had is inditable for their Extortions and exactions of Tax^s and most of them have already been found guilty and though they attempt to make you believe the charge against them for exacting 4d 6d & a shilling extraordinary from ignorant Men Women and in remote neighbourhoods to be a false charge yet it is not only notoriously known to be the truth by hundreds of people from whom and among whom they exacted it, but at the same time they exacted 4d more from every man in the County in the very same Tax and though this was what we had some Item of from the very beginning yet we could never come at the certainty thereof till now, we think it can be proved beyond all doubt and this is a very particular matter of great weight and moment as it was one immediate cause of the rise of the mob and for which reason we

suppose the most strenuous methods has been used to hinder it from coming to light. In the next place Thomas Lloyd may also be said to be a party concerned as he is one of the insolvent Sheriffs Securities and likewise the Justice who committed H. Husband without a Warrant proof of any crime and without a *Mittimus*, besides all this he has been Vestry Man and Church Warden frequently these Ten years past and more during which time the Vestry accounts are unsettled and irregularly kept and large Balances behind. Thomas Hart being the only Sheriff that ever settled which was for 1762, the particulars of whose accounts is also kept from the eyes of the public, all which is contrary to Law and for which neglect the Church Wardens and Clerks are indictable.

Mr Chief Justice you at our last Court seemed to be somewhat prejudiced against us in a speech that you made in which you signified your Jealousie that we acted through Malice, Ambition &c: But concluding if what we did was from motives to promote Justice detect Extortion &c: for the publick good that you wished us all the success imaginable and heartily concurred with us in our undertaking. Oh that you might be sincere and could but a known our hearts. However be that as it will your Speech could not but afford us consolation and encouragement to persevere for we could lay our hands on our hearts and call God to witness in ourselves that this was our whole sole end and purpose and that too out of pure necessity to keep ourselves and innocent helpless Neighbors from utter ruin our whole properties having become quite insecure as well as our characters — As the two persons who was indicted last Court for perjury by reason they had indicted and witnessed against Extortions are two honest innocent men — Yea we need say no more but that we know these two men are honest men of good characters and innocent of that charge, whereas on the contrary to pick the whole country there cannot be found men of much worse characters than many or most of those who have sworn against them. As for the objection that some pretend to make (to wit) that it is hard to find Jurymen but what is prejudiced to one side or t' other this objection has not the least foundation in Truth or Reason Absolutely no more than if a gang of horse thieves had been numerous and formidable enough to have engaged the same attention and concern of the publick — for those Extortioners and Exactors of Tax^s are certainly more dangerous than those Thieves and in the next place they and all who espouse their cause knowingly are as to numbers inconsiderably small, only that they have the handling the

Law chiefly in their own hands — our late Elections help to prove this Diversion; we carried our Elections for Vestrymen twenty five to one — The consequence of not trying these men subject to Law is wooden shoes and uncombed hair — What sense or reason is there in saying any are prejudiced to our side for what is it we have done — we have labored honestly for our Bread and studied to defraud no man nor live on the spoils of other mens labors nor snatched the Bread out of other mens hands. Our only crime with which they can charge us is vertue in the very highest degree namely to risque our all to save our Country from Rapine and Slavery in our detecting of practices which the Law itself allows to be worse than open Robbery — It is not one in a hundred or a thousand of us who have broke one Law in this our struggle for only common Justice which it is even a shame for any Government or any set of Men in the Law once to have denied us off — Whereas them as has acted the most legally are the most torn to pieces by the Law through malicious prosecutions parried against them.

To sum up the whole matter of our Petition in a few words it is namely these that we may obtain unprejudiced Jurys, That all extortionate Officers Lawyers and Clerks may be brought to fair Tryals — That the Collectors of publick money may be called to proper settlements of their accounts, namely the Sheriffs for the years 1764, 1765, 1766 & 1767 to which time the taxes was generally collected (a small part of the last year excepted) the refusing to settle for which or give us any satisfaction occasioned the past disturbances — If We cannot obtain this that we may have some security for our properties more than the bare humour of officers, we can see plainly that we shall not be able to live under such oppressions and to what extremities this must drive us you can as well judge of as we can ourselves, we having no other determination but to be redressed and that to be in a legal and lawful way — As we are serious and in good earnest and the Cause respects the whole Body of the people it would be loss of time to enter into arguments on particular points for though there is a few men who have the gift or art of reasoning yet every man has a feeling and knows when he has justice done him as well as the most learned.

Therefore that Justice which every man will be ashamed to own that ever he denied us of when in his power to grant is the prayer of our Petition and your Petitioners as in duty bound shall ever pray.

Signed by 174 Subscribers.

[FROM ORANGE COUNTY COURT RECORDS.]

THE HILLSBOROUGH RIOTS.

NORTH CAROLINA }
Hillsborough District }

At a Superior Court of Justice begun and held for the district aforesaid at the Court house in Hillsborough on Saturday the 22nd day of September, 1770.

Present

The Honorable Richard Henderson, Associate Justice.

Adam Whitsett & Henry Whitsett appeared in open court & took the oaths prescribed by Parliament for Naturalization.

Court adjourned till Monday 10 o'clock.

Monday 24th

Court met pursuant to adjournment,

Present

The Hon'able Richard Henderson, Esq, Associate Justice.

The Court appointed Henry Pendleton Esq, Attorney for the Crown.

Samuel Smith, who was last term fined *nisi* etc. for not appearing last term as a juror, was heard and excused.

Several persons stiling themselves Regulators assembled together in the Court Yard under the conduct of Harmon Husbands, James Hunter, Rednap Howell, William Butler, Samuel Deviney, & many others insulted some of the Gentlemen of the Bar, & in a violent manner went into the Court house, and forcibly carried out some of the attorneys, and in a cruel manner beat them. They then insisted that the Judge should proceed to the Tryal of their Leaders, who had been indicted at a former Court, and that the Jury should be taken out of their party.

Therefore the Judge finding it impossible to proceed with honor to himself and Justice to his Country, adjourned the Court till tomorrow morning 10 o'clock, and took the advantage of the night & made his escape, and the Court adjourned to Court in Course.