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NOTES AND DOCUMENTS

THE MECKLENBURG DECLARATION OF INDEPENDENCE

In the course of some studies of the events of the decade preceding the revolution with especial reference to Virginia, North Carolina, South Carolina, Tennessee, and Kentucky, I have again and again during the past dozen years encountered new evidence directly or remotely bearing upon events in Charlotte, Mecklenburg county, North Carolina, in May, 1775. This evidence became so cumulative in the course of time that it seems desirable, in the interest of historical truth, to set it forth for general consideration.¹

In chief measure owing to the fact that certain natives of North Carolina, of accredited reputation as historical students, have rejected the contention that Mecklenburg county, North Carolina, declared herself free and independent of Great Britain on May 20, 1775, it is believed that American historians as a rule have followed their lead, without busying themselves in first-hand study of the subject. Indeed, it is customary for historical writers, sometimes on apparently slight grounds, to observe that "authorities are united in discrediting the so-called Mecklenburg Declaration of May 20, 1775."²

The most serious blow ever given to the contention that Mecklenburg county declared her independence on May 20, 1775, was unwittingly dealt by Peter Force in the discovery in 1838, of the record of a series (incomplete) of resolves dated Charlotte Town, Mecklenburg county, May 31, 1775, in the *Massachusetts Spy* or *American Oracle of Liberty*, of July 12, 1775.³ It will be recalled

¹ Cf. my address, "The revolution in North Carolina in 1775," delivered in Charlotte on May 19, 1916, and published in *Charlotte Observer*, May 20, 1916. It was afterward privately printed in pamphlet form. Important evidence not cited there is embodied in the present communication.

² Edward Channing, *History of the United States* (New York, 1905-), 3: 161, n. 1.

³ Nine years later, the entire series of resolves was found printed in the *South Carolina Gazette and Country Journal*, June 13, 1775, and since that time these resolves have been found in a number of contemporary newspapers.

that the original minutes of the convention, kept by John Mc-Knitt Alexander, the secretary, were burned when his house was destroyed by fire in 1800; and the claim for a declaration on May 20, 1775, only sprang into prominence some nineteen years after the records were burned. The publication in 1819 of the claim for a declaration on May 20 and the publication by the state of North Carolina in 1831 of a pamphlet containing the testimony of a considerable number of eyewitnesses and participants in the proceedings eventuating in the alleged declaration laid the foundations of evidence for those who contend for a declaration on May 20.

It was the sensational discovery in 1838, and again, more completely, in 1847, of a series of resolves of date May 31, 1775, which soon gave rise to the belief that the eyewitnesses and participants, in testifying to an unconditional declaration of independence on May 20, were in reality imperfectly recalling the resolves of May 31, which assert conditional independence. The alleged declaration of May 20 is now very generally believed, principally on the evidence cited above, to be an involuntary figment of the fancy; and hence it has been called a myth. The whole remarkable story of the Mecklenburg declaration of independence has been cleverly termed "a strange and almost incredible story of the fallibility of human memory."

Since the original records kept by the secretary of the convention were burned in 1800, no draft conclusively demonstrated to have been copied from the alleged original declaration has come to light. Moreover, no strictly contemporaneous record, namely of the year 1775, testifying that the people of Mecklenburg county declared themselves free and independent of Great Britain on May 20, 1775, has yet been discovered. A remarkable allusion to the matter, however, is contained in an historical paper written in German by Traugott Bagge in 1783, of which the following is a literal translation:

"I cannot leave unmentioned at the end of the 1775th year that already in the summer of this year, that is in May, June, or July, the County of Mecklenburg in North Carolina declared itself free and independent of England, and made such arrangements for the administration of the laws among themselves, as

later the Continental Congress made for all. This Congress, however, considered these proceedings premature."⁴

The passage reads as follows: "Ich kan zu ende 1775sten Jahres nicht unangemerkt lassen, dasz schon im Sommer selbizen Jahres, dasz ist im May, Juny, oder July, die *County Mecklenburg* in Nord *Carolina* sich fuer so frey u. *independent* von England *declarirte*, u. solche Einrichtung zur Verwaltung der Geseze unter sich machte, als jamalen der *Continental Congress* hernach ins Ganze gethan. Dieser *Congress* aber sahe dieses Verfahren als zu fruehzeitig an."

During the course of my researches along wholly different lines, a new field of inquiry presented itself to me with reference to two circumstances directly connected with the unimpeachable evidence now accessible. This inquiry resolved itself into two parts.

The question to be settled, if possible, is the source of Bagge's information. Here is an indisputable reference to an unconditional declaration of independence. If it could be shown that, although he did not make his record until 1783, he learned the facts recorded, in 1775, and from an eyewitness and participant in the proceedings which eventuated in a declaration of independence, this would establish the contemporaneousness of his information.

Another question to be settled is one of fact in regard to the date of the meeting at which independence was declared. No contemporaneous draft of such a declaration, if such declaration were made, is known to be extant. The secretary of the convention, John McKnitt Alexander, left a series of notes indubitably made in 1800 or later, in which he states among other things, that on May 20, 1775,

"1st. We (the County) by a *Solemn* and *awfull* vote, *Disolved* our allegiance to King George & and British Nation.

"2^d. Declared our selves a free & independent people, having

⁴ Adelaide L. Fries, *The Mecklenburg declaration of independence as mentioned in the records of Wachovia* (Raleigh, N. C., 1907). So strikingly confirmatory was this entry of the century-old claims for a Mecklenburg declaration of independence that its discovery in 1904 once more projected the much-mooted subject into the field of national discussion.

a *right* and *capable* to govern ourselves (as a part of North Carolina).''⁵

The historians who question the contention that a declaration of independence was made in Charlotte on May 20, 1775, maintain that John McKnitt Alexander, in referring to a declaration made on May 20, was thinking of the series of resolves passed on May 31. The real question to be decided, from independent sources and by irrefutable documentary evidence strictly contemporaneous, is the actual date of the meeting on which independence was declared. Was it May 19-20, and an unconditional declaration of independence, of which no copy of the original is now known to be extant? Or was it May 30-31, and a conditional declaration of independence, reproduced as a series of resolves in a number of contemporary newspapers?

A considerable number of participants, eyewitnesses, or men who recorded directly the statements of participants and eyewitnesses, have given testimony in regard to events in Mecklenburg county in May, 1775. The testimony of those who, by reason of active participation in the events themselves or because possessed of unusually acute memory are best qualified to judge, is explicit on three points, viz.: *that the convention met first on May 19; that the news of the battle of Lexington (April 19, 1775) reached Charlotte on May 19; and that it was the dramatic arrival of this startling news which immediately precipitated the unconditional declaration of independence on the following day, May 20, 1775.*⁶

The genuine significance of this collocation of the date of one event with that of another has hitherto escaped the thoughtful attention of historical investigators. When the eyewitnesses gave their testimony (1819-1830), no draft of the resolves of May 31, passed by the small group of the committee of safety, had come to light. Nothing in after years could so conclusively have refuted the testimony of the participants as their identifica-

⁵ A minutely accurate copy of these notes, of unquestioned validity, is preserved among the Bancroft transcripts in the New York public library. A photographic facsimile is in Hoyt's *The Mecklenburg Declaration of Independence* (New York, 1907), beginning opposite p. 126.

⁶ Testimony of the witnesses is given in detail in my address, "The revolution in North Carolina in 1775," in *Charlotte Observer*, May 20, 1916.

tion of the date of the first day of the two-days' meeting by means of the date of some other happening. The skeptics in regard to the "Mecklenburg declaration of independence" asseverate, without proof, that there was and could have been no meeting on May 19 and 20, on which latter date independence was declared. The participants and eyewitnesses, who were present and heard the declaration read, in the lapse of years might well have forgotten the exact phrases of the declaration, but not its explicit assertion of unconditional independence; they might, by an almost infinite stretch of the imagination, have all forgotten exactly the same way, and recalled incorrectly the dates May 19 and 20; but it appears mentally inconceivable and psychologically impossible that they could also have forgotten the same way on another fundamental point, viz. — that the arrival of the news of the battle of Lexington was the soul-stirring, revolutionary event which precipitated an unconditional declaration of independence.

The pivot upon which this phase of the classic controversy resolves is the query: On what date did the news of the battle of Lexington actually reach Charlotte?⁷

If it could be shown that the news of the battle of Lexington first reached Charlotte on May 30, it would completely demonstrate that the participants, in speaking of a declaration of independence on the day following the arrival of the news, were imperfectly recalling the resolves of May 31. If, however, it is proven that the news of the battle of Lexington first reached Charlotte on May 19, this fact completely demonstrates that the popular convention actually did take place on May 19 and 20, 1775. If the actual participants and eyewitnesses are entitled to more credence than "witnesses" now living, then the testimony of the former is conclusive that the unconditional declaration was made by the popular convention, and by no other body, on the second day of the two-days' meeting as the result of the arrival of the news of the battle of Lexington on the first day.

In the effort to resolve this question, I have studied the routes

⁷ This line of research which I have employed is a new avenue from which to approach the problem. This point is wholly missed or evaded by Hoyt, whose book, *The Mecklenburg declaration of independence*, while thoroughly illogical at many points, exhibits the methods of the trained historical investigator.

of travel over which couriers must have passed in bringing the news southward from Philadelphia, leaving there on April 25. Everywhere the injunction, sometimes fervently endorsed on the very despatch itself, was to send the news on without the slightest delay, and to disseminate it throughout the adjoining counties. By a series of contemporary records, made in the year 1775 and fully attested, I have proven that the news of the battle of Lexington actually *did* reach Charlotte on May 19, 1775—for example, reaching Salem, slightly more than a day's journey from Charlotte, on May 17, and Anson Court House, slightly farther than Charlotte from Salem, about May 20.⁸ This investigation indisputably fixes the date of the popular convention as May 19 and 20, 1775, and not May 30 and 31, 1775. It furthermore indisputably establishes, on the evidence of the participants and eyewitnesses, that the county of Mecklenburg through a popular convention declared itself free and independent of Great Britain on May 20, 1775, and not on May 31, 1775. For it is agreed by the participants and eyewitnesses that it was the popular convention, and no other body, which made an unconditional declaration of independence on the second day of the two-days' meeting, as the result of the arrival of the news of the battle of Lexington on the first day. The action of May 31, at a meeting on this one day only, was the action of an entirely different and much smaller body, namely, the committee of public safety of Mecklenburg county who at this, their first meeting, voted to send copies of the various proceedings by an express rider, Captain James Jack, to the continental congress at Philadelphia.

In 1783, Traugott Bagge recorded in his *Bruchstück* that the county of Mecklenburg in 1775 (May, June or July)⁹ declared

⁸ Travel on foot would have brought the news to Charlotte on May 25, by rider at a rapid rate of speed on May 13. As instance of the absurdity of the contention that the news first reached Charlotte on May 30 is the fact that the news actually reached Boonesborough, Kentucky, passing over one of the worst roads on the continent, just cut out by Daniel Boone and his axemen in the employ of Colonel Richard Henderson, on May 29. See R. Henderson's diary, Draper manuscripts, 1CC21-130, Wisconsin historical society. For an elaborate treatment of the subject, see my article, "The revolution in North Carolina in 1775," in *Charlotte Observer*, May 20, 1916.

⁹I am able to state precisely, on the basis of recorded facts, the reason why Bagge was uncertain as to the date within the limits given. Bagge knew that the declaration was made after the arrival in May of the news of the battle of Lexington.

itself "frey u. *independent* von England." Captain James Jack, according to his attested certificate of December 7, 1819, was present when the county of Mecklenburg declared itself free and independent of England; as an express rider especially commissioned for that purpose he bore the "Mecklenburg declaration of independence," as he termed it, to Philadelphia and there delivered it to the delegates to congress from North Carolina. If anyone living in the year 1775 knew the exact nature of the paper, such as, for example, that it was an unconditional declaration of independence, it surely was Captain James Jack. For he was present when it was, as he says, "publicly proclaimed from the court-house door in the town of Charlotte"; he heard it read aloud again, as he records, by Colonel William Kennon in Salisbury, while on his way to Philadelphia; and moreover, as bearer, unpledged to secrecy, of the copies of the proceedings in Charlotte, which he termed the "Mecklenburg declaration of independence," he was without doubt accurately informed as to its exact nature and purport. If Bagge received his information from Jack in 1775, then his testimony is both authentic and essentially contemporaneous.

In a circular letter dated June 19, 1775, addressed to the town and county committees of safety, written by Richard Caswell and signed with his own name and those of his North Carolina colleagues in the continental congress, William Hooper and Joseph Hewes, Caswell urged his constituents to form themselves into militia companies and to be in readiness to resist force by force. Caswell sent copies for the western counties of North Carolina during the last week in June, 1775, "by a man," said a member of the New Bern committee, "who was going from Philadelphia to Mecklenburg county."¹⁰ Who was this man and did he see Bagge? He bore with him copies of Caswell's circular letter for the committees of safety of Surry,

He also knew that it was made before the organization of the Surry county committee of public safety in August; for the very man who brought the news of the declaration also brought a letter addressed to that committee before it was even in existence. Compare *Salem diary* and *Ältesten Conferenz Protokoll*. Had Bagge, in writing his "Fragment," referred to the *Salem diary* of July 12, 1775, he might have narrowed the limits of his uncertainty by omitting the word July."

¹⁰ *Colonial records of North Carolina*, 10: 65, 66, 85. For Caswell's letter, *ibid.*, 10: 23.

Rowan, Mecklenburg, and Anson counties. Who saw him arrive at Salem, consulted with him, and received from him a copy of Caswell's letter? Captain Jack was in Philadelphia on June 23;¹¹ and "returned with a long, full, complasent letter from s^d 3 members, recommending our *zeal, perseverance order & forbearance &c.*"¹² "The arrival of the messenger at Salem, North Carolina, on July 7, is recorded in a historical sketch written in 1783 by an eye witness," admits Hoyt himself. The name of the author of this sketch is not given by Hoyt.

The natural surmise is that Bagge derived his information that "Mecklenburg county declared itself free and independent of England" from Jack. The striking evidence to that effect is now before us, derived from the Moravian archives. The eye-witness of the messenger's arrival, the author of the historical sketch of 1783, whose name is withheld by Hoyt, was none other than Traugott Bagge.¹³ The entry of this very date (July 7, 1775) in the *Salem diary*, a diary of communal life kept unbroken from 1752 to the present time, reveals the identity of the messenger, who indubitably informed Traugott Bagge that Mecklenburg county had declared itself "frey u. *independent* von England" and handed him a letter which was a duplicate of the one he bore to the committee of safety of Mecklenburg county. This messenger was none other than Captain James Jack. The entry is as follows:

"July 7, 1775. Diesen Nachmittag uberlieferte ein Mann aus dem Mecklenburg der als ein *Expresser* von dort zum Congress in Philadelphia geschickt worden war auf seinem Retour, wieder ein Circular, an Mr. TRAUGOTT BAGGE adressiert; selbiges war unterschrieben von HOOPER, HEWH and CASEWILL; es enthielt eben ein ENCOURAGEMENT zum Gewehr zu grieden, etc. . . ."¹⁴

The English translation is as follows:

This afternoon a man of Mecklenburg, who had been sent as

¹¹ Joint certificate of Alphonso Alexander, Amos Alexander, and Joseph McKnitt Alexander, cited in Hoyt, *The Mecklenburg Declaration of Independence*, 66-67.

¹² Notes of John McKnitt Alexander, secretary of the convention, in Bancroft transcripts, New York public library.

¹³ Letter of Miss Adelaide L. Fries to the writer, June 7, 1916. The original historical sketch, in Bagge's unmistakable handwriting, is now in the archives in Salem, whence it had formerly been removed to Bethania, North Carolina.

¹⁴ I was greatly assisted in this research by Miss Adelaide L. Fries, curator of the Moravian archives at Salem, who at my request made a close examination, and also

an *express* from there to congress in Philadelphia, upon his returning journey delivered here a circular addressed to Mr. TRAUGOTT BAGGE; the same was signed by HOOPER, HEWH, and CASEWILL; it actually contains an ENCOURAGEMENT to take up arms, etc.

To resume, this research exhibits two remarkable specimens of evidence, based on contemporaneous documentary records, indicating that Mecklenburg county declared itself free and independent of Great Britain, and that this unconditional declaration of independence was made on May 20, 1775.

1. The men who participated in the proceedings in May, 1775, assert that they declared themselves free and independent of Great Britain on the day immediately following the arrival of the news of the battle of Lexington. It is shown herein that the news arrived in Charlotte on May 19. *Ergo*, the county of Mecklenburg declared itself free and independent of Great Britain on May 20, 1775.

2. There is herein established the essential contemporaneity of Traugott Bagge's assertion that in 1775 (May, June, or July) Mecklenburg county declared itself "frey u. *independent* von England." For it is shown, beyond any reasonable doubt, that Bagge received this information from the bearer of the "Mecklenburg declaration of independence" to Philadelphia, Captain James Jack, on his return from that place during the course of a brief stop at Salem, North Carolina, on July 7, 1775.

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aided me in my own personal examination, of the *Salem diary*. Among the papers found by Miss Fries in the Moravian archives, bare announcement of the discovery of which was made in December, 1914 (cf. *Publications of the North Carolina historical commission*, Bulletin 18 [1915], p. 55), is Caswell's circular letter of June 19, 1775, delivered by Captain James Jack to Traugott Bagge on July 7, 1775.