The American Revolution in Georgia, 1763–1789

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THE RISE
OF DISCONTENT
1764 - 1774

In Georgia, as in all other royal and proprietary colonies, there had been arguments between the appointed governors and the elected assemblies as long as the assemblies had existed; but such differences were not necessarily a prelude to revolution. However, in the period after 1763 controversy became more frequent and more serious, consumed more legislative time, and was seldom satisfactorily compromised. Tensions were built up in all colonies, Georgia included. The biggest disputes came out of the new British colonial policy and concerned the Sugar and Stamp Acts, the Townshend Revenue Acts, and the Intolerable Acts. There was opposition to all these acts in Georgia. Other differences between the governor and the assembly might have been routine and have gone unnoticed except for the general controversy between the colonies and the British government at the time. These disputes helped to build up a climate of opinion against the British government that eventually led Georgia to join the other colonies in revolt.

Besides the arguments between the assembly and the governor, there were differences between the two houses of the assembly. Two disputes that developed in many of the colonies concerned the right of the upper house to introduce bills and its right to amend or reject money bills. In Georgia most bills were introduced in the Commons House, but the Upper House always introduced bills if it desired, and argument over its right to do so never developed. As in Parliament and most of the colonies, the Georgia Commons House successfully maintained its right to introduce all
money bills and usually insisted that they could not be amended by the Upper House. Controversy also developed between the two houses concerning the nature of a money bill. The Upper House maintained that the spending of money could be involved in a bill without making it a money bill; it also maintained that it had a right to share in matters of principle even though they involved the spending of money. Neither house won a clear-cut victory in this argument, for sometimes one gave in and sometimes the other. Besides money, the two houses often differed over the support of the governor or the royal prerogative. In such case the Upper House was the one which supported prerogative.

The first step in the "new" British policy of raising a revenue in the American colonies to help defray the expense of imperial defense of these colonies was a general act concerned with duties on imports into the colonies. Usually referred to as the Sugar Act, it became law in April, 1764. Massachusetts took the lead in colonial opposition to this act, which, if strictly enforced, would hurt New England rum distillation considerably. The Massachusetts House of Representatives sent a circular letter to all the other colonial assemblies protesting the policy of laying of taxes upon the colonials by Parliament, a policy which had been followed for many years without audible colonial opposition. Five months after the Massachusetts circular was received by the Georgia Assembly, both houses voted to instruct Georgia's agent in London to join with other colonial agents in protesting the new requirements of the Sugar Act. Though the Massachusetts circular had put stress upon the laying of taxes upon the colonies by Parliament, the Georgia Assembly based its entire protest upon an economic argument, that the new regulations would effectively end the Georgia lumber trade with the West Indies. The new regulations required certificates and bonds guaranteeing that the lumber be landed in British territory. Because Georgia's lumber was shipped in small transient vessels over which the shippers had no control, the certificates stating where the lumber had been sold might not be returned to the shipper. In this case he would lose his bond, double the value of the goods sold.

At the same time that the assembly directed its colonial agent to protest against the Sugar Act of 1764, it also directed him to protest against the proposed Stamp Act about which the ministry had requested colonial comment. The committee of correspondence said that the proposed stamp duty was "as equal as any" that
might be imposed upon the colonies but objected to the manner of imposing the tax and to the added financial burden that it would impose upon Georgia, a burden which the assembly thought would be greater than Georgia could bear. There were also objections to the non-jury trials authorized by the proposed act and to the idea that all British subjects, even colonials, were virtually represented in the British House of Commons though they never voted for representatives in that body. After the Stamp Act was passed, the committee of correspondence approved the fact that its agent had not questioned the authority of Parliament to levy such a tax. The committee directed the agent to join the other colonial agents in working for the repeal of the Stamp Act before some of the other colonies should go too far in denying the authority of Parliament to levy such a tax. Georgians were meek and mild in their objections and preferred dutiful petitions to ringing declarations.

The Stamp Act, which became law on March 22, 1765, required that every newspaper, pamphlet, broadside, ship's clearance, college diploma, lease, license, insurance policy, bond, bill of sale, and every legal document be written or printed on stamped paper sold by public officials. All income from the sale of stamps was to be used for defending the colonies.

News of the passage of the Stamp Act, the rates of the act, and the objections to it in the Northern colonies all received adequate publicity in the Georgia Gazette without arousing public protest in Georgia. Georgians were informed that stamp collectors were unpopular people, were being hanged in effigy, were having their property destroyed, and were resigning in most places. The preliminaries of the intercolonial congress to object to the act were also carried in the Gazette.

When the circular from the Massachusetts Assembly inviting the colonies to send delegates to the Stamp Act Congress arrived in Savannah, the assembly was not in session. Alexander Wylly, Speaker of the Commons House, requested the members of the House to meet and consult on the matter. Sixteen of the twenty-five members met in Savannah in September, but Governor Wright opposed sending delegates to the congress and refused to call the assembly into session to consider the matter. The assembled members wrote to the Massachusetts House of Representatives that no delegates would be sent to the congress because of Wright's objections but gave assurance that Georgia was con-
cerned with the common welfare of all the colonies and would back whatever action the congress took.⁶

When the assembly met late in October, Alexander Wylly laid the documents about the Stamp Act Congress invitation before the Commons House and made a complete report. The House thanked Wylly for his actions and ordered the documents published in the Gazette.⁷ The documents were published on October 31, the anniversary of the succession of George III to the throne and a day of public celebration in Savannah. That night a group of people in a celebrating mood carried the effigy of a stamp officer through the streets and then hanged and burned it “amidst the acclamations of a great concourse of people of all ranks.”⁸ The same day the Gazette reported that Simon Munro, George Baillie, and Thomas Moodie had received threatening letters signed “The Townsman” alleging that Munro had been appointed stamp master and that Baillie and Moodie had stamped papers in their possession. All three denied the truth of these accusations and offered a £50 reward for the name of the author of the false report. Later Governor Wright offered a reward for information as to who wrote threatening letters to James Habersham and Dennis Rolls accusing them of being stamp masters.⁹

The Stamp Act was scheduled to go into effect November 1, yet no stamp officer nor stamped paper had arrived in Georgia, not even a copy of the Stamp Act itself. The council advised Wright to stop warrants and grants for land until stamped paper was available but to allow vessels to clear the customs house with a certificate attached stating that no stamps were available.¹⁰

As Wright no doubt knew, his stamp troubles were just beginning. On November 5, Gunpowder Plot or Guy Fawkes Day, a day of public celebration, Savannah was treated to a most interesting entertainment. A group of sailors assembled together, placed one representing a stamp master on a scaffold, and carried him about the town. He had a rope fastened around his neck, a paper in his hand, and at certain intervals was obliged to call out “No stamps, no riot act, gentlemen, etc.” After the stamp master had been shown to the entire town, he was hung up in front of Machenry’s Tavern (the rope went under his arms as well as around his neck) and left hanging for awhile before he was cut down to the great amusement of the crowd of people which collected. The Gazette was careful to note that no property was damaged and that no outrages were committed during the demonstration.¹¹
The next day the Sons of Liberty (the first time this name is mentioned in Georgia) met at Machenry's Tavern and unanimously agreed that upon the arrival of the stamp master in Savannah he be waited upon and informed that the people objected to the Stamp Act, that the execution of the act might be attended with very bad consequences, and that he must resign his office as stamp masters in other colonies had done.  

Wright was sure that there would be trouble upon the arrival of the stamp distributor and the stamps in Georgia and consulted with his council as to the proper steps to protect both. The council advised that both stamps and distributor be given the necessary protection and that a proclamation be issued forbidding riots and tumultuous assemblies and especially ordering all magistrates and peace officers to be vigilant in their duties.  

Wright said that from this time there was a great increase in the "spirit of faction and sedition" and that the Sons of Liberty held numerous meetings and were reported to have signed an association to prevent the stamps from being sold or the act from taking effect. Wright worked publicly and privately to influence the more substantial people against such rebellious actions and to get their backing in the enforcement of the law once stamps and a distributor arrived. Wright said that he thought he would have been successful except for the constant stream of inflammatory papers, letters, and messages from the Liberty Boys in Charleston urging the Georgians to greater action. While the South Carolinians did their utmost to instruct Georgians in their proper attitude and action in regard to the Stamp Act, it is doubtful that they should receive all the credit for what happened in Georgia.

The journal, petitions, and memorials of the Stamp Act Congress were delivered to the Commons House of Assembly by the speaker on November 25. After due consideration of these documents, the Commons House voted, December 14, that the petition to the King, the memorial to the Lords, and the petition to the Commons adopted by the Stamp Act Congress be signed by the speaker and dispatched to England on behalf of the Commons House. Thus the Commons House made good the statement of its members that Georgia would back the action of the Stamp Act Congress.  

Late in November Wright received a copy of the Stamp Act "in a private way" and took the oaths required by the act. The stamps arrived on December 5, and Wright was immediately called
upon by a deputation of Savannah citizens who assured him that the townspeople had no intentions of attempting to destroy the stamps. On December 16 Wright informed the council that the Stamp Act was now fully in force in Georgia, a month and a half late, but no stamp distributor had yet arrived. The same day the governor and council denied a petition of the merchants and ship captains that the loaded vessels in the harbor be allowed to depart without stamps because of the absence of a stamp distributor, an action which had been allowed in other colonies. The appointment of a temporary stamp distributor was considered, but no action was taken.

After a militia muster on January 2, 1766, a number of people marched to the governor's gate to find out if he intended to appoint a temporary stamp distributor as he had been petitioned to do by a number of merchants. Wright replied that he would do what he thought best, lectured the people on the proper way to question their governor, and informed them that he was really more of a friend of liberty than they were and that his actions would uphold liberty while theirs would destroy it. Hearing that several hundred Liberty Boys were gathering in town to break open the royal storehouse and destroy the stamps, Wright collected from forty to fifty people (rangers, ship captains and sailors, and some local merchants and their clerks) and at their head removed the stamps from the royal storehouse to the rangers' guardhouse. A guard was kept for two weeks, and Wright said he did not have his clothes off for four days. He was sure that this prompt action was all that saved the stamps from destruction by the Liberty Boys.

Mr. George Angus, the stamp distributor, arrived on January 3, 1766. He was met below Savannah by a party of rangers in a scout boat and brought to the governor's house. Several days later stamps were distributed and the port opened. About sixty vessels in the harbor were cleared with stamp papers. After that the people generally agreed not to buy any more stamps until the King's pleasure was known as to the repeal of the Stamp Act. Stamp Distributor Angus soon went into the country "to avoid the resentment of the people," where he remained for about two months. No further stamps were sold in Georgia.

After this there were several weeks of relative peace in which Wright worked hard to quiet malcontents and objectors to the use of stamps. Toward the end of January a concerted effort was
made by the Liberty Boys to end any possibility of future stamp sales in Georgia. Several hundred people were reported collecting near Savannah to destroy the stamps. Wright again moved the stamps, this time to Fort George on Cockspur Island where protection would be easier away from the town mob. The South Carolinians became very vehement in their protests against the vile Georgians who were so weak in the support of American liberties. A Charleston group voted to stop all trade with Georgia and to punish anyone selling provisions to Georgia with instant death and the burning of any vessel so trading. In South Carolina the stamp distributors had resigned before the act went into effect. After the port of Charleston remained closed for three months because of the absence of stamps, Lieutenant Governor Bull opened it and allowed vessels to be cleared with a certificate that no stamps were available. The South Carolina Gazette began re-publication December 17, 1765, carrying above its masthead the legend "NO STAMPED PAPER to be had." By this time Wright had decided that it would take more than the small military force at his command to make Georgians buy and use stamps or even allow stamps to remain in the colony. Hence when HMS Speedwell (the vessel that had brought the stamps to Georgia) returned to Savannah on February 2, he was glad to put the stamps on board and send them away. A group of several hundred people came to Savannah to demand that the stamps be given to them to be destroyed instead of being sent away. But Wright with his force of rangers, sailors, and the usual "well disposed gentlemen" got the stamps safely on board the Speedwell and out of Georgia for good. When Stamp Distributor Angus came back to Savannah from the country on March 26 he was immediately beset by Sons of Liberty to know if he intended to sell any more stamps. He said yes, if anyone applied for them. By the time enough Sons had collected to decide what should be done, Angus could not be found. Hence the Sons went to bed, and recorded Stamp Act violence ended in Georgia.

Throughout February and March Wright continued to try to convince Georgians that they had acted foolishly during the Stamp Act troubles. He sent for leading citizens from the various parts of the colony and pointed out to them the folly of the actions and asked them to go home and convince their neighbors of it. He said he received assurance from most parts of the province that there would be no armed rebellion against established authority again.
Yet he knew there was still “a knot of rebellious turbulent Spirits” in Savannah kept hot by continual intercourse with Charleston who refused to admit the error of their actions. Despite Wright’s frequent mention of the “well disposed gentlemen” who backed him in upholding the royal authority and of the Sons of Liberty (Wright called them “Sons of Licentiousness”) who opposed him, he never identified a single one of either group by name. Neither did articles in the *Georgia Gazette* or the *South Carolina Gazette* or any other source. They must remain anonymous.

During these Stamp Act troubles the assembly was in session, except for its Christmas recess from December 20 through January 13. The arrival of the stamps and the stamp distributor and the actual sale of stamps came during the recess, but at no time was there any official communication between the assembly and Wright about the troubles. The Commons House of this assembly voted the memorial and petitions of the Stamp Act Congress just as the Stamp Act was going into effect in Georgia, and it authorized its committee of correspondence to call the members of the House together if there should be any further action necessary relative to these memorials and petitions.

The *Georgia Gazette* ceased publication when the Stamp Act went into effect in Georgia. When it began re-publication on May 21, 1766, it carried notice that a bill to repeal the Stamp Act was being considered in Parliament. The next issues carried full information about the repeal until the act of repeal was printed in full on June 18. The publication of the Declaratory Act one week later evoked no recorded criticism in Georgia. When Wright called the assembly into session on July 16 to inform it officially of the repeal, he and the Commons House congratulated each other that there had been no violence or destruction of property in Georgia and that the assembly had not questioned the supremacy of Parliament or the Crown in America. The Commons House proposed, and the Upper House agreed to, an address thanking the King for the repeal of the Stamp Act and for his consideration for the happiness of his American subjects. In transmitting this address to England Wright said that most Georgians were now grateful for the grace and favor received and were disposed to comply dutifully with the laws. Some still persisted in a “strange idea of Liberty” and insisted that internal taxes could be levied only by their representatives. Wright was doubtful that he could dissuade these deluded people, though he would do his
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best. Wright's entire action in the Stamp Act troubles was approved fully by the government in England.

In a sermon "The Stamp Act Repealed," the Reverend John J. Zubly said that nothing which had happened in British America was more deserving of public thanksgiving to God, to King, and to Parliament. For the people's privileges had been preserved, and America would not become a land of slaves. While stoutly upholding the rights of Americans and praising their remonstrance which helped secure the repeal of the Stamp Act, Zubly favored obedience to the laws of Parliament and respect for the Crown. He was careful to point out the differences between liberty and licentiousness, saying that Christianity taught rulers to consider the good of their subjects, and that subjects must be good citizens as well.

The Stamp Act controversy was the first major disagreement between the people and the British government in which Georgia joined the other colonies. Georgia always acted later than other colonies and was influenced by happenings in them. It is impossible to know what Georgians would have done if left to themselves. There was certainly economic objection to the cost of the stamps. The number of the Sons of Liberty always available to oppose Wright's actions makes it obvious that there was some good organization in Georgia and contact with other colonies, but it is impossible to know who the leaders were. It seems that the opposition came mainly from Savannah and probably from the artisan and small merchant class. The importers and ship captains (who were not Georgians) were the people most willing to obey the law and to purchase the stamps.

A controversy between the two houses of the assembly over the colony's agent in London came out of the Stamp Act troubles. Georgia, like the other American colonies, kept an agent in London to oversee colonial matters that came before the British government. This agent was elected by the assembly for a one-year term, and at the time of the Stamp Act, William Knox, the Provost Marshal of Georgia as well as property owner and former resident in the colony, was agent. Knox was lukewarm in presenting Georgia's objections to the Stamp Act, and wrote a pamphlet defending the right of Parliament to levy internal taxes in the colonies, "The Claim of the Colonies to an Exemption from Internal Taxes Imposed by Authority of Parliament Examined." A portion of this pamphlet was published in the Georgia Gazette, August 8, 1765, and immediately roused objections on the part of
many Georgians, especially members of the Commons House of Assembly. Angered by this action of Knox, the Commons House on November 15 adopted a resolution informing him that his services as agent were no longer needed. A copy of this resolution was sent to the Upper House, but its concurrence was not asked nor did it take any action. The Commons House members of the joint committee to correspond with the agent informed Knox of this resolution when the Upper House members refused to join them. The Upper House voted its thanks to Knox for his faithful services, which it said had been entirely satisfactory. When it voted the memorial and petitions adopted by the Stamp Act Congress, the Commons House requested Charles Garth, provincial agent for South Carolina, to present these to the King and to Parliament. Garth, a member of Parliament, had voted for the Stamp Act, but this fact may not have been known in Georgia.

When the assembly met in the fall of 1766 the Commons House voted an ordinance appointing Garth as Georgia's provincial agent. The Upper House refused to agree to this ordinance, maintaining that Garth could not properly represent both Georgia and South Carolina in London where frequent arguments between the two had to receive official adjudication. When the tax bill was drawn by the Commons House, it included a year's salary for Garth as agent plus expenses for the services which he had already rendered.

The Commons House refused a conference with the Upper House because of its contention that the Upper House could not amend a money bill, and the Upper House passed the bill under protest rather than hold up all appropriations. At the request of the Upper House, Wright wrote to the secretary of state setting forth the argument at length and requesting that no agent appointed by the Commons House alone be accepted by the government in London. When the account of Garth was presented for payment under this appropriations bill, the council refused to pass it.

When the assembly met in 1768, the Commons House again passed an ordinance appointing Garth as provincial agent, and the Upper House again refused to agree to it. In a conference between the two houses, it was agreed that Benjamin Franklin should be elected Georgia's agent, and the colony now had a fully accredited agent for the first time since 1765.
re-elected every year until 1774 when the Upper House refused to agree to his election insisting that he had done nothing during the years of his agency but accept the appointment and his yearly salary. A quarrel developed between the two houses about their cooperation with and trust of each other, in which the facts of the case were entirely forgotten. The Commons House resolved, seventeen to two, that the appointment of the agent should be exclusively lodged in the representatives of the people, that Franklin should be the agent, that he should follow the instructions of the Commons House, and that a salary of £150 a year should be provided in the next tax bill. The Upper House resolved that this was an attack upon its constitutional rights and upon the prerogatives of the Crown. Wright again took the matter up with the secretary of state, but no action had been taken in London when the revolutionary troubles erupted.

After the dying down of the Stamp Act agitation and the relative quiet of 1766, 1767 was full of objections from the assembly to action of Parliament. The first of these protests began in January when Wright received a request from the commanding officer of the British troops in Georgia for the barracks necessities (light and heat, beds and bedding, barracks furniture and cooking utensils, and rum or beer) required to be furnished by Parliamentary Mutiny Act of 1765. This request met with prompt refusal from the Commons House on the grounds that it would violate the trust reposed in the assemblymen by their constituents and would set a dangerous precedent. Wright reported this refusal to the British government and to General Gage, Commander-in-Chief of British forces in North America. Despite its refusal to furnish barracks necessities to the troops, the Commons House two months later requested Wright to ask Gage to send more soldiers to Georgia to replace the two troops of rangers recently disbanded. The same day that the Commons House formulated this request, it resolved to provide sufficient funds to pay one shilling per day to every officer and two pence per day to every enlisted man stationed in the province, in lieu of barracks necessities. The Commons House refused to send this resolution to the Upper House for concurrence as Wright suggested; so no funds were paid out by the treasurer.

Gage informed Wright that no troops would be sent unless barracks necessities were provided. The secretary of state wrote that Parliament would not allow its rights to legislate for the
colonies to be questioned and that the King required that the Georgia Commons House comply fully with the Mutiny Act. Wright called the assembly into session in October, 1767, and laid this letter before it. The Commons House voted, apparently without strong objections, that not over £200 should be included in the next tax bill to provide barracks necessities beginning November 1, 1767, or a payment of three pence per man in lieu thereof. The House also adopted a resolution declaring that it had made adequate provision for barracks necessities by its resolution at the last session. The tax bill passed in April, 1768, provided for three pence per man per day in lieu of barracks necessities for troops stationed in Georgia.

After more than a year of almost continual trouble, the barracks necessities argument was settled. Four months later the one officer and twenty-seven enlisted men over which the argument had raged were withdrawn from Georgia and stationed in St. Augustine as a part of the new British policy of stationing troops in larger garrisons where they would be quickly available for any necessary duty instead of leaving them scattered in small detachments to guard the frontier. Wright and the assembly objected strenuously to this withdrawal and continued, until the Revolution broke out, to ask for troops to be stationed in Georgia.

There was trouble over the compliance of the colonial legislatures with the Mutiny Act in almost every mainland colony with a legislature. This trouble became serious in Massachusetts, New York, and New Jersey. The New York Assembly was suspended by action of Parliament in 1767 until it complied with the terms of the Mutiny Act. South Carolina's objections to furnishing barracks necessities came before Georgia's and were settled in the same way.

The second argument of the Commons House against Parliamentary requirements concerned a statute of Queen Anne's reign that required postmen to be provided free passage on ferries. In the spring of 1767 the Commons House provided for the establishment of two ferries without specifying free passage for postmen. Wright called this matter to the attention of the Upper House, which amended the bills to comply with the statute. The Commons House failed to agree to the amendments on the grounds that it could not submit to the enforcement of the Parliamentary statutes alluded to, and the ferry bills were lost. The next year the ferry laws were passed with free passage for postmen provided and
with no objection from the Commons House, which had apparently decided that the Upper House would allow no ferries without free passage for postmen.55

The final, and by far most important, conflict which arose in 1767 came as a result of the passage of the Townshend Acts by Parliament in that year. Since so many Americans had objected to the "internal" taxes of the Stamp Act, Chancellor of the Exchequer Charles Townshend assumed that the Americans would not object to "external" taxes, or import duties laid by the act on glass, painters' colors, red and white lead, paper, and tea. Little did he know the American mind so far as taxes were concerned! The acts also created an American customs service to administer the laws of trade and legalized writs of assistance in America. The income derived from these duties was to be used to pay the salaries of royal governors and judges in the colonies. The first mention of the acts in the Georgia Gazette was the publication of the duties imposed by the acts on October 14, 1767. Throughout the winter the objections to the acts in the New England colonies and the non-consumption and non-importation agreements were published. From January 27 through April 27, 1768, John Dickinson's Letters of a Pennsylvania Farmer, in opposition to the acts, was published, together with considerable favorable comment on the Letters. The assembly instructed Georgia Agent Benjamin Franklin to work for the repeal of these acts.56

The Massachusetts House of Representatives again sent out a circular letter objecting to taxation of the colonies by Parliament. This letter was received in Georgia before a newly elected Commons House met. Alexander Wyly, the speaker of the last Commons House, wrote the Massachusetts speaker that the old Commons House before its dissolution had instructed the Georgia agent to join other agents in working for the repeal of the Townshend Acts and that no further action could be taken until the assembly met in November.57 As a result of this letter of Wyly's, Governor Wright was instructed from London to disapprove Wyly should he be elected speaker of the next Commons House.58

Wright had expressed fear that the new Commons House elected in the spring of 1768 had a majority of Sons of Liberty and would give trouble when it met. He had no intention of calling it into session until the troubles caused by the farmer's Letters were somewhat forgotten.59 When the assembly did meet in November, Wright told the body that the King did not approve
the Massachusetts circular and had instructed him to dissolve the assembly if the circular should be considered. The Commons House assured Wright that it would concern itself with the necessary business of the colony, that it had not received the Massachusetts circular, and that it entertained the strictest loyalty and attachment to the King. After more than a month of routine business, the Commons House on December 24 began a consideration of the Townshend Acts. It adopted a “dutiful and loyal address” to the King in which it avowed a readiness to acknowledge its constitutional subordination to Parliament but objected that Parliamentary taxation was a violation of the “indubitable right” of the colonists to grant away their own property.

Wylly then presented the circulars objecting to the Townshend Acts which he had received from the Massachusetts and Virginia lower houses. The House resolved that these letters were not dangerous or factious, as the governor had maintained, but were a very proper exercise of the right to petition the throne, a right that belonged to British subjects in America or in England. The authors of both circulars were ordered informed that the Commons House approved their actions and sentiments. The circulars and the proceedings thereon were ordered published in the Georgia Gazette. Governor Wright immediately sent for the Commons House to attend him, approved the acts passed, and dissolved the assembly as he had been instructed to do. In his dissolution speech Wright put all the blame upon the Commons House because it had been warned that consideration of the Massachusetts circular would bring dissolution. Wright argued that to say Parliament was the supreme legislature of the empire but could not tax the colonies was a contradiction in the plainest terms. The authority of Parliament must be full and complete or of no value at all.

Throughout the first half of 1769 the protests and resolutions of the various colonies were published in the Georgia Gazette, but they caused no trouble in Georgia. Wright said in August that things were “quiet and happy.” In July the recently adopted South Carolina non-importation agreement, in which the South Carolinians agreed to purchase nothing from Britain except certain necessities that could not be procured otherwise, was published in the Gazette. Enforcement was to be voluntary, and American manufactures were to be encouraged.

The Georgia Gazette of September 6 carried a three-column
letter urging in strongest terms that Georgians join their fellow colonists in denouncing and defeating the evil designs of the Townshend Acts and uphold their rights as Englishmen. Rights specifically mentioned included no taxation without the consent of the taxed, trial by jury, and trials in the locality where a crime was committed—rights violated by the Townshend Acts. Georgia might be one of the youngest colonies but she was too old for such leading strings. Besides Georgians had “sucked the love of liberty at the same breast” with other Englishmen and Americans. Because petition had been ignored there was but one recourse, refusal to buy the “unconstitutionally” taxed items. “If we are no longer to be allowed the rights of Britons, WE MUST be Americans.” Non-importation and home manufacture would secure the repeal of the new taxes. The same Gazette carried an announcement that at a meeting of the Amicable Society at “Liberty-Hall” on Saturday it was resolved to invite planters, merchants, tradesmen, and all other Georgians to a Savannah meeting on September 12 to consider ways of obtaining relief from the burdens imposed on Americans by the Townshend Acts. At this meeting a committee was chosen to prepare resolutions to be presented to a second mass meeting.65

On September 16 a group of Savannah merchants met at the house of Alexander Creighton, protested the Townshend Acts, agreed that they were unconstitutional and entirely inconsistent with the abilities of the people to pay, and said that in Georgia there was insufficient specie to pay the duties. The merchants resolved that as soon as they could stop their orders they would not purchase any items taxed by these laws and that people who violated this agreement ought to be treated with contempt and deemed enemies of their country.66 However, no enforcement machinery was created by the merchants.

On September 19 the mass meeting, adjourned from September 12, resumed, and the committee presented its resolutions. The Townshend Acts were objected to as taking away property arbitrarily and unjustly, contrary to the spirit of the constitution. The following resolutions were presented and adopted: (1) American and Georgia manufacturing was to be encouraged. (2) The raising of sheep was to be encouraged, and lambs were not to be butchered. (3) The raising and manufacture of cotton and flax were to be encouraged. (4) Non-importation of British and European goods except what had already been ordered was
agreed to with the exception of a considerable list of cheap textiles and clothing, cheap shoes and hose, hats, hardware and plantation tools, paper, firearms and munitions, mill and grindstones, cotton and wool cards and card wire, and items necessary to the Indian trade. All other orders to Britain were to be cancelled at once, and goods on hand were to be sold at former prices. Any goods shipped contrary to this agreement were to be returned or stored. (5) The giving of articles of mourning at funerals was to be discontinued. (6) No American Negroes were to be bought after January 1, nor African Negroes after June 1. (7) No wines were to be bought after March 1. (8) Nothing was to be purchased from Georgians or transients who did not sign the agreement within five weeks. Non-subscribers and those who signed but did not abide by the agreement were to be considered enemies of their country.67

This non-importation agreement generally followed the outline of the South Carolina agreement. It excepted more specific manufactured goods than did the South Carolina agreement or the agreements of most of the other colonies. Jonathan Bryan, a member of the governor's council, presided at the meeting and was suspended for doing so.68 Wright said that the meetings had been entirely orderly and had expressed ideas which would continue to be held until there was some real solution to the problem of the constitutional relationship between the colonies and the mother country. Mere repeal of the duties would be only a temporary solution.69

A brave beginning had been made by what was apparently a small Savannah group, but little else happened. One more meeting of the Amicable Club at Liberty Hall was announced. "A Merchant" objected in the Gazette to the "resolves of the Merchants of Savannah" as published and estimated that half the merchants did not approve them.70 Neither of the agreements contained any enforcement machinery, nor were individual signatures of compliance secured. Wright worked privately to prevent signatures to the agreement or its enforcement. The majority of the merchants seemed to have opposed non-importation, and many planters were lukewarm. There is no evidence of excitement anywhere in the colony outside of Savannah. The opposition was certainly not so obvious, so widespread, so well organized, or so violent as that against the Stamp Act. This type of import duties had long existed in the colonies, whereas stamp duties were entirely new to the colonials. The opposition aroused in other
colonies because the income from the new duties was to be used to pay officials did not exist in Georgia. Such officials in Georgia had always been paid from England. From the very beginning the agreements seem to have had little effect on Georgia imports. One disappointed Liberty Boy consoled himself with the pleasing prospect that Savannah would become the chief exporter of Carolina produce just as soon as the port of Charleston closed.\textsuperscript{71}

Wright was afraid that when the assembly met early in November the Commons House, as a result of the late trouble, might enter into resolutions against the Townshend Acts and in favor of constitutional rights of the colonies regarding taxation or trial by jury. The Virginia resolutions of May 16 were received and entered upon the journal at the opening of the session, but they were not taken up throughout the session that lasted until May 10, 1770.\textsuperscript{72}

By May, 1770, Negroes and other goods which were not allowed to be landed in South Carolina were being reshipped to Georgia and apparently sold there. The next month a Charleston mass meeting voted to cut off all trade with Georgia and Rhode Island because they had traded with Britain while the other colonies were abiding by non-importation. Throughout the summer London merchants reported that they were receiving orders from both Georgia and South Carolina; non-importation was weakening in South Carolina, although it was not officially ended in that colony until December.\textsuperscript{73} By the time the Georgia Assembly met in October, 1770, the Townshend Acts had been repealed except for the duty on tea, and were ignored by both the assembly and the governor.

The troubles over the Townshend Acts began in the assembly and resulted in a dissolution when the Commons House took up the Massachusetts circular letter in December, 1768; the entire non-importation movement developed outside the assembly. But at the same time the Commons House found two other things over which it differed with the governor and which were to bring on three more dissolutions in 1771 and 1772. It now seemed almost impossible for the governor and the Commons House to agree upon anything connected with the rights of the Commons House, the governor, or the British government. To see the development of these executive-legislative troubles, it will be necessary to go back a few years in the colony's history.

After the area between the Altahama and the St. Marys was
annexed to Georgia in 1763, it was divided into four new parishes—St. David, St. Patrick, St. Thomas, and St. Mary. When settlers began to move into this area, Governor Wright in 1768 informed the British government that it would be expedient to allow representatives in the Commons House from these parishes. On November 15, 1769, the Commons House asked Wright to issue writs of election for these parishes, stating that it was the “most valuable and inestimable Privilege [sic]” of British subjects to be represented in their law making body. Wright replied that he too thought the parishes should be represented but that his royal instructions did not allow him to increase the number of representatives in the Commons House. He would request royal permission for representation for the new parishes. The Commons House insisted that the proclamation of 1763 specified that all the new areas affected by it should be represented and therefore counteracted Wright’s royal instructions. The address ended with a statement that the Commons House dare not impose a general tax unless the four parishes were represented.

The Commons House was taking the “no taxation without representation” argument quite literally, ignoring the fact that it had regularly taxed these four parishes previously without showing any concern about their lack of representation. The interpretation of Wright and his council that the statement of the proclamation of 1763 applied to new colonies and not to new sections in old colonies seems to be the correct interpretation, but the two houses of the assembly entered into a protracted argument over this matter. However, in the end the tax bill was passed with the four southern parishes exempted, “they not being represented according to the true Intent and meaning thereof.” When this assembly reassembled in October, 1770, the Commons House again requested that writs of election be issued for the four southern parishes, and Wright again explained that he could not issue the writs without positive orders from England, which he was expecting. This time the Commons House refused to enact a tax bill because the four southern parishes were not represented. Two days before the Commons House refused to enact a tax bill, Thomas Moodie, deputy secretary of the colony, refused to take an oath when giving testimony before a house committee. Moodie said that oaths had not been required of witnesses previously and that he would not begin such a precedent. The House
voted this a breach of its privilege and contempt of the committee and had Moodie arrested by its messenger and imprisoned in the common jail during its pleasure. Wright insisted that the Commons House had no right to require oaths without statutory sanction and pointed out that the House of Commons in London did not ordinarily require oaths at its committee hearings.\(^{82}\)

Wright considered the refusal to pass a tax bill and the imprisonment of Moodie going beyond the rights of the Commons House. The King alone could grant representation, and certainly the Commons House could not take unto itself whatever powers it chose. Wright told the speaker that unless the two objectionable decisions of the Commons House were removed, the assembly would be dissolved. At the same time Wright told the speaker that permission had just been received from England to allow representation for the four southern parishes. No reconsideration came up during the next business day; so Wright dissolved the assembly with the approval of the council.\(^{83}\)

In future assemblies the southern parishes were represented, in future tax bills they were taxed, and the matter was closed. To prevent trouble in the future, when Wright wrote to England about the political division of the lands acquired from the Indians in 1773, he advised that representation be allowed in the parishes which were to be created there as soon as there were 100 families or voters in each. This recommendation was promptly approved, and Wright was told to issue writs of election for any new parish as soon as it had sufficient inhabitants.\(^{84}\) However, no representatives were elected from this area before the revolutionary troubles broke out.

Writs of election were issued immediately after the February, 1771, dissolution of the assembly, and the newly elected assembly met on April 23. The Commons House unanimously re-elected its late speaker, Noble Wimberly Jones. Governor Wright, exercising a power given him by royal instructions but never before used in Georgia, disapproved this choice. He did not give his reasons for disapproval, but it was probably because Jones was one of the leaders in the opposition to British measures. The Commons House immediately elected Archibald Bulloch as speaker and proceeded to business.\(^{85}\) The next day after some debate the House thanked Jones for the way in which he had shown himself a loyal subject and true lover of his country by supporting the honor and dignity of the House and the rights and
privileges of the people. A second resolution was adopted, stating that the rejection of the speaker was a high breach of the privilege of the House and tended to subvert the rights and liberties of the people. The House however would proceed to business because it was unwilling to delay the public business, which had already been too much delayed by the recent dissolution of the last assembly. The disapproval of the speaker was not to be admitted as a precedent. Naturally a resolution such as the second one acted as a red flag so far as Governor Wright was concerned. He immediately called into session his council, which agreed with him that the resolution was a “most indecent and Insolent denial of His Majesty’s Authority” and that the assembly should be dissolved if it would not reconsider this resolution. After some councilmen tried unsuccessfully to convince the speaker that the resolution should be repealed, the assembly was dissolved on the fourth day of its session before it had transacted any business. In reporting this matter to England Wright insisted again that the powers of the assembly must be settled or its members would soon become “Petty Tyrants.” Apparently it never occurred to Wright that many of the assemblymen and colonists might consider him a “Petty Tyrant.” Wright’s actions were approved in England, and instructions were issued to inform the next assembly of the King’s displeasure and of his intention to uphold the royal prerogative. The speaker of the next assembly was to be disapproved; and if there were objections again, the assembly was to be dissolved.

In July Wright went to England on leave, and James Habersham, the secretary of the colony and president of the council, became acting governor. Habersham did not issue writs of election until the next spring, trying to wait until the excitement over the negative of the speaker died down and until he learned the opinion of the British government on Wright’s actions. Throughout the fall and winter Habersham reported things quiet but was sure that “too much of the old Leaven of rancour” remained and would cause trouble again. The new assembly, elected in the spring of 1772, included all the former representatives from Savannah who had led the opposition to the government in recent assemblies. Habersham said he did not think that friends of government could have been elected no matter what was done, and so he had done nothing.

When the assembly met on April 21, 1772, the Commons
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House unanimously elected Noble Wimberly Jones speaker. Habersham informed the House of his instructions to disapprove the speaker. The House elected Jones again. Habersham said that he had no personal objections to Jones, but disapproved him again in obedience to royal instructions. The next day Jones was elected again, but this time he thanked the House for the honor but declined to serve. The House then elected Archibald Bulloch, Habersham approved him, and the assembly went about its usual opening routine. Habersham informed the Commons House of the royal disapproval of its actions in imprisoning Deputy Secretary Moodie and of its denial of the right of the governor to disapprove a speaker, a right clearly set forth in royal instructions. The House ignored these rebukes and indicated a determination to get on with its business. Five days after the session began, Habersham informed the Commons House that he was extremely sorry to learn from its journal that it had elected Jones speaker again after his second disapproval and had elected Bulloch only after Jones' refusal to serve. Habersham requested the House to remove the minute at once or be dissolved. The House replied that the last election of Jones was not intended to be disrespectful to the King or to Habersham nor was it meant as an infringement of the prerogative. Neither could the House see that the election was contrary to strict parliamentary procedure or to anything that Habersham had told it. The House would leave the minute in its journal and proceed immediately to business. Without consulting his council, Habersham dissolved the assembly.

This dissolution left the colony for two years without a tax bill and other needed laws, especially a militia law (which had expired). The secretary of state wrote Habersham that it did not appear that the Commons House had specifically questioned the King's right to disapprove a speaker and therefore had made the dissolution necessary. He hoped that the time allowed for reflection had improved the situation in Georgia and that the next assembly, which he thought should be called as soon as Habersham thought convenient, would go off smoothly. The hope that reflection would improve the situation was vain as Habersham well knew. Throughout the summer, he said, the opposition attacked him upon almost any possible item that came up. In the summer the Rev. John J. Zubly published a pamphlet in which he seriously questioned the right of the Crown to disapprove a speaker and argued that the choice of a speaker by the representa-
tives must be as free as the choice of the representatives by the people. While his historical argument that the Crown could not negative a speaker was inaccurate, the pamphlet sounded good to Georgians who wanted additional support for their argument against prerogative. Habersham blamed the troubles upon the bad example of South Carolina, insisted that the inflammatory matter published in the Gazette had kept the spirit of opposition alive, and said he thought the assembly was ashamed of its action. This last statement seems doubtful for a majority of the members of the Commons House.

When the newly elected assembly met in December, 1772, Jones was again elected speaker. He thanked the House for the election but declined to serve, and William Young was elected. Habersham said that he told a few of Jones' friends that he would not do business with Jones as speaker and that Jones very prudently declined to serve.

In February, 1773, Wright, now Sir James Wright, returned to Georgia and resumed his duties as governor. Habersham had not been very sure of himself as acting governor and in his protracted arguments with the Commons House over the negative of the speaker had not shown very good political finesse. Though the troubles had begun when Wright was in Georgia, Habersham's handling of the assembly at the time of its April, 1772, dissolution seemed inept and somewhat more of an insistence upon the dignity of his office than Wright had usually exercised. The election of Jones, which he used as his excuse for dissolution, was no different from the other two which he had disapproved. There had been no resolution or questioning of the right of disapproval, merely another election of Jones. Habersham's trouble was probably that he was trying too hard to do a good job in a position where he was not quite sure of himself.

Relations between the Commons House and the governor improved after Wright's return; there was not another dissolution in colonial Georgia.

At the same time that the legislative-executive fight was going on there was also trouble between the British-appointed-and-paid chief justice and the American assistant justices. In 1772 the attorney general applied to the general court for general writs of assistance for use in fighting smuggling. Chief Justice Stokes, the only trained lawyer on the court, was of the opinion that the issue of such writs was mandatory upon application. The three assistant
justices professed themselves willing to give all necessary help against custom frauds but did not think writs of assistance were needed. Upon a second application for writs of assistance in 1773 the chief justice favored issuance, one assistant justice opposed, and the other assistant justices gave no opinion. No writs of assistance were issued either time.

The legislative-executive fight had made the opposition party in the Commons House more insistent upon its rights and tended to draw it closer to opposition parties in the other colonies. That it was powerful in the Commons House was illustrated in the spring of 1773 by the response of the House to the invitation of the Virginia and Rhode Island assemblies that other colonial assemblies appoint a committee of correspondence so that the colonies might keep in touch with each other about matters concerning all of them. The Georgia Commons House resolved that the speaker and any five members of the regular committee to correspond with the colonial agent be the new committee. A special committee of correspondence was appointed by the House in January, 1774, and directed to correspond with other such committees in all matters about the interest of Americans.

No irreparable break between the King and his Georgia subjects had yet been made, but many things that had happened since the passage of the Stamp Act in 1765 had helped to pave the way for such a break. A change in the attitude and policy of the British government would be necessary for a return to the satisfactory relationship of an earlier period. No real constitutional settlement of the rights of the British and colonial governments, for which Wright repeatedly called, was to come. Georgians were aware of the fact that they were Americans. Most of them still wanted to be British subjects. Action in the next two years would convince many that it was impossible to be both.