

University of Nebraska - Lincoln

DigitalCommons@University of Nebraska - Lincoln

Electronic Texts in American Studies

Libraries at University of Nebraska-Lincoln

1776

A Charge on the Rise of the American Empire (1776)

William Henry Drayton

Chief Justice of South Carolina

Reiner Smolinski , Editor

Georgia State University, rsmolinski@gsu.edu

Follow this and additional works at: <https://digitalcommons.unl.edu/etas>



Part of the [American Studies Commons](#)

Drayton, William Henry and Smolinski, Reiner , Editor, "A Charge on the Rise of the American Empire (1776)" (1776). *Electronic Texts in American Studies*. 39.

<https://digitalcommons.unl.edu/etas/39>

This Article is brought to you for free and open access by the Libraries at University of Nebraska-Lincoln at DigitalCommons@University of Nebraska - Lincoln. It has been accepted for inclusion in Electronic Texts in American Studies by an authorized administrator of DigitalCommons@University of Nebraska - Lincoln.

WILLIAM HENRY DRAYTON (1742–79), chief justice of South Carolina, Revolutionary leader, and wealthy plantation owner, was born near Charlestown. His family on both sides were wealthy planters and prominent politicians, enabling young William Henry to study in London and Oxford. Upon his return he married a South Carolina heiress, turned to politics, and was elected to the Assembly. Drayton championed the cause of British interest in the colonies and opposed such popular measures as the non-importation movement while defending the rights of the individual. Upon losing his seat in the Assembly, Drayton left for England and returned shortly thereafter to sit on the Council of the province (1770–75), supported by relatives who served as Lt. Governor and members of the Council. If his appointment was largely the result of his loyalty to the Crown, Drayton made a complete turnabout during the political turmoil preceding the War of Independence. In 1774, he published *A Letter from "Freeman" of South Carolina to the Deputies of North America*, essentially arguing for a federal system and independent government in the American colonies while maintaining allegiance to the Crown.

Upon Drayton's suspension in 1775, he joined the Revolutionary forces, recruited volunteers for armed resistance, and was elected president of South Carolina's provincial Congress. In his elected position as chief justice (March 1776), he became a radical supporter of American Independence, advocated the adoption of his state's constitution, and represented South Carolina as an elected member to the Continental Congress, where he served from late 1778 until his death a year later.

Drayton's *Charge on the Rise of the American Empire* (1776)—here courtesy of the American Antiquarian Society—is an address to the Grand Jury of South Carolina at Charleston. Four months after the Declaration of Independence, Drayton enthusiastically outlines his Southern vision of the young United States in its progress toward becoming the next world empire.

Reiner Smolinski
Georgia State University

This introductory note and the following text were published in *The Kingdom, The Power, & The Glory: The Millennial Impulse in Early American Literature* (Dubuque, Iowa: Kendall-Hunt, 1998), pp. 392–407. Copyright © 1998 Reiner Smolinski.

A
C H A R G E,
O N T H E
R I S E O F T H E A M E R I C A N E M P I R E.
D E L I V E R E D B Y
T h e H o n . W I L L I A M - H E N R Y D R A Y T O N , E s q ;
C h i e f - J u s t i c e o f S O U T H - C A R O L I N A :
T O
T H E G R A N D J U R Y
F o r t h e D I S T R I C T O F C H A R L E S T O W N .

C H A R L E S T O W N :
P r i n t e d b y D A V I D B R U C E i n C h u r c h - S t r e e t ,
M D C C L X X V I .

SOUTH-CAROLINA. }
CHARLESTOWN-DISTRICT. }

At a COURT OF GENERAL SESSIONS OF THE PEACE, OYER AND TERMINER, ASSIZE AND GENERAL GAOL DELIVERY, begun and holden at *Charlestown*, for the District of *Charlestown*, on Tuesday, *October* 15th, in Year of our Lord, 1776—Before the Hon. WILLIAM-HENRY DRAYTON, Esq; Chief Justice, and his Associates, Justices of the said Court.

ORDERED, That the Charge delivered by his Honour the Chief Justice to the Grand Jury, and their Presentments at this Session, be forthwith published.

By Order of the Court,

JOHN COLCOCK, C. C. S.

The CHARGE to the GRAND JURY.

GENTLEMEN OF THE GRAND JURY.

THE last Time I had the Honour to address a Grand Jury in this Court, I expounded to them the Constitution of their Country, as established by Congress on the 26th Day of March last, independent of Royal Authority. I laid before them the Causes of that important Change of our Government—a Comparison of these, with those that occasioned the English Revolution of 1688—and, the Law resulting from the Injuries in each Case. I spoke to that Grand Jury of the late Revolution of South-Carolina. I mean to speak to you upon a more important Subject—the Rise of the American Empire.

THE great Act in March last, upon the Matter constituted our Country totally independent of Great-Britain. For, it was calculated to place in our Hands, the whole legislative,

executive and judicial Powers of Government: and to enable us in the most effectual Manner, by Force of Arms to oppose, resist and war against the British Crown. The Act naturally looked forward to an Accommodation of the unhappy Differences between that Power and America: In like Manner every Declaration of War between independent States, implies a future Accommodation of their Disputes. But, although by that Act, we were upon the Matter made independent; yet there were no Words in it, specially declarative of that Independency. Such a Declaration was of Right to be made only by the General Congress; because the united Voice and Strength of America, were necessary to give a desirable Credit and Prospect of Stability, to a declared State of total Separation from Great-Britain: And the General Congress, as the only Means left by which they had a Chance to avert the Ruin of America, have issued a Declaration, by which all political Connection between you and the State of Great-Britain, is totally dissolved.

CAROLINIANS! heretofore you were bound—by the American Revolution you are now free. The Change is most important—most honourable—most beneficial. It is your Birth Right by the Law of Nature—it is even valid by the fundamental Laws of your Country—you were placed in Possession of it by the Hand of God!—Particulars evidencing a Subject of the highest Import.—Gentlemen of the Grand Jury, it is my Duty to mark to you, the great Lines of your Conduct; and so to endeavour to explain the Nature of each, that you may clearly see your Way, and thereby be animated in your Progress to discharge those Services which are required at your Hands. And hence, it is necessary for me to lay before you some Observations upon the Nature of the American Revolution, which, by every Tie divine and human, you are bound to support. I shall therefore endeavour to draw your Attention to this great Subject, necessarily including the Lines of your particular Conduct.

IT is but to glance an Eye over the historic Page, to be assured that the Duration of Empire is limited by the Almighty Decree. Empires have their Rise to a Zenith—and their Declension to a Dissolution. The Years of a Man, nay the Hours of the Insect on the Back of the Hypanis, that lives but a Day, epitomize the Advance and Decay of the Strength and Duration of Dominion. One common Fate awaits all Things upon Earth—a thousand Causes accelerate or delay their Perfection or Ruin.—To look a little into remote Times, we see, that from the most contemptible Origin upon Record, Rome became the most powerful State the Sun ever: The WORLD bowed before her imperial Fasces!—yet, having run through all the Vicissitudes of Dominion, her Course was finished. Her Empire was dissolved, that the separated Members of it might arise to run through similar Revolutions.

GREAT-BRITAIN was a Part of this mighty Empire. But, being dissolved from it, in her Turn she also extended her dominion:—arrived at, and passed her Zenith. Three and thirty Years numbred the illustrious Days of the Roman Greatness—Eight Years measure the Duration of the British Grandeur in meridian Lustre! How few are the Days of true Glory! The Extent of the Roman period is from their complete Conquest of Italy, which gave them a Place whereon to stand, that they might shake the World; to the original Cause of their Declension, their introduction of Asiatic Luxury. The British Period is from the Year 1758, when they victoriously pursued their Enemies into every Quarter of the Globe; to the immediate Cause of their Decline—their Injustice displayed by the Stamp Act.—In short, like the Roman Empire, Great-Britain in her Constitution of Government, contained a Poison to bring on her Decay; and in each Case, this Poison was drawn into a ruinous Operation, by the Riches and Luxuries of the East. Thus, by natural Causes and common Effects, the American States are become dissolved from the British Dominion.—And is it to be wondered

at, that Britain has experienced the invariable Fate of Empire! We are not surprized when we see Youth or Age yield to the common Lot of Humanity.—Nay, to repine, that in our Day, America is dissolved from the British State, is impiously to question the unerring Wisdom of Providence. The Almighty setteth up; and he casteth down: He breaks the Sceptre, and transfers the Dominion: He has made Choice of the present Generation to erect the American Empire. Thankful as we are, and ought to be, for an Appointment, of the Kind, the most illustrious that ever was; let each Individual exert himself in this important Operation directed by Jehovah himself.—From a short Retrospect, it is evident, the Work was not the present Design of Man.

NEVER were a People more wrapped up in a King, than the Americans were in George the Third in the Year 1763. They revered and obeyed the British Government, *because it protected them*—they fondly called Great-Britain—Home! But, from that Time, the British Counsels took a ruinous Turn; ceasing to protect—they sought to ruin America. The Stamp Act, Declaratory Law, and the Duties upon Tea and other Articles, at once proclaimed their Injustice; and announced to the Americans, that they had but little Room for Hope; infinite Space for Fear.—IN VAIN THEY PETITIONED FOR REDRESS!—Authorized by the Law of Nature, they exerted the inherent Powers of Society, and resisted the Edicts which told them, that they had no Property; and that against their Consent, and by Men over whom they had no Controul, they were to be bound in all Cases whatsoever.—Dreadful Information!—Patience could not but resent them.—However, regardless of such Feelings, and resolved to endeavour to support those all grasping Claims, early in the Year 1774, the British Tyranny made other Edicts—to overturn American Charters—to suspend or destroy at the Pleasure of the Crown, the Value of private Property—to block up the Port of Boston *in terrorem* to other American Ports—to give Mur-

der the Sanction of Law—to establish the Roman Catholick Religion, and to make the King of Great-Britain a Despot in Canada; and as much so as he then chose to be in Massachusetts-Bay. And General Gage was sent to Boston with a considerable Force, to usher these Edicts into Action, and the Americans into Slavery.

THEIR Petitions thus answered—even with the Sword of the Murderer at their Breasts, the Americans though only of new Petitions. It is well know, there was not then even an Idea that the Independence of America would be the Work of this Generation: For People *yet* had a Confidence in the Integrity of the British Monarch. At length subsequent Edicts being also passed, to restrain the Americans from enjoying the Bounty of Providence on their own Coast; and to cut off their Trade with each other and with foreign States—the *Royal Sword yet REEKING with American Blood*, and the King still deaf to the Prayers of the People for “Peace, Liberty and Safety:” It was even so late as the latter End of the last Year, before that Confidence visibly declined; and it was generally seen, that the Quarrel was likely to force America into an immediate State of Independence. But, such an Event was not expected, because it was thought, the Monarch, from Motives of Policy, if not from Inclination, would heal our Wounds, and thereby prevent the Separation; and it was not wished for, because Men were unwilling to break off all Connections, and change the usual Form of Government.

SUCH were the Sentiments of America, until the Arrival of the British Act of Parliament declaring the Americans out of the Royal Protection, and denouncing a general War against them.—But, Counsels too refined, generally produce contrary and unexpected Events. So, the whole System of British Policy respecting America since the Year 1763, calculated to surprize, deceive, or drive the People into Slavery—urged them into Independence: and, this Act of Parliament, in par-

ticular, finally released America from Great-Britain. Antecedent to this, the British King, by his Hostilities, had as far as he personally could, absolved America from that Faith, Allegiance and Subjection she owed him; because the Law of our Land expressly declares, these are due only in Return for his Protection, Allegiance, being *founded* on the Benefits of Protection. But God knowing that we are in Peril by false Brethren, as well as by real Enemies, out of his abundant Mercy has caused us to be released from Subjection, by yet a better Title than the mere Oppressions of a Man in the Kingly Office.—This Title is singular in its Kind.—It is the voluntary and joint Act of the whole British Legislature, on the Twenty-first Day of December, 1775, releasing the Faith, Allegiance and Subjection of America to the British Crown, *by solemnly declaring the former out of the Protection of the latter*; and thereby, agreeable to every Principle of Law, actually *dissolving* the Original Contract between King and People.

HENCE, an American cannot, legally, at the Suit of the King of Great-Britain be indicted of High Treason; because the Indictment cannot charge him with an Act *contra ligentice sue debitum*; for not being protected, by that King, the Law holds that he does not owe him any Faith and Allegiance. So, an alien Enemy, even invading the Kingdom of England, and taken in Arms, cannot be dealt with as a Traitor, because *he violates no Trust or Allegiance*. In short this Doctrine laid down in the best Law Authorities, is a Criterion whereby we may safely judge, whether or not a particular People are subject to a particular Government. And, thus upon the Matter, that decisive Act of Parliament *ipso facto* created the United Colonies, Free and Independent States.

THESE Particulars evidence against the Royal Calumniator in the strongest Manner. Let him not with unparalleled Effrontery from a Throne continue to declare, that the Americans “meant only to amuse, by vague Expressions of

Attachment and the strongest Profession of Loyalty, whilst they were preparing for a general Revolt, for the Purpose of establishing an independent Empire.” ON THE FIRST OF SEPTEMBER 1775, Richard Penn and Arthur Lee, Esquires, delivered to Lord Dartmouth, he being Secretary of State a Petition from the Congress to the King, when Lord Dartmouth told them, “NO ANSWER WOULD BE GIVEN.” The Petition contained this remarkable Passage, that the King would “*be pleased to direct some Mode, by which the united Applications of his faithful Colonists to the Throne, in Presence of their common Councils, might be improved into a PERMANENT AND HAPPY RECONCILIATION; and that in the mean Time, Measures might be taken for preventing the further Destruction of the Lives of his Majesty’s Subjects.*” YET, NOTWITHSTANDING THIS, on the 20th of OCTOBER *following*, from the Throne the King charged the Americans with aiming at Independence! The Facts I have stated, are known to the World; they are yet more *stubborn* than the Tyrant. But, let other Facts be also stated against him.—There was a Time, when the American Army before Boston had not a thousand Weight of Gunpowder—the Forces were unable to advance into Canada, until they received a small Supply of Powder from this Country, and for which the General Congress expressly sent—and when we took up Arms a few Months before, we begun with a Stock of five hundred Weight!—These *grand* Magazines of Ammunition, demonstrate to be sure, that America, or even Massachusetts-Bay was preparing to enter the Military Road to Independence!—On the contrary, if we consider the Manner in which Great Britain has conducted her irritating and hostile Measures, we cannot but clearly see, that God has darkened her Counsels; and that with a stretched out Arm, he himself has delivered us out of the House of Bondage, and has led us on to Empire.

IN the Year 1774, General Gage arrived at Boston, to awe the People into a Submission to the Edicts against Ameri-

ca. The Force he brought, was, by the Oppressors, thought not only sufficient to compel Obedience; but that this would be effected even at the Appearance of the Sword. But, the Continent being roused by the Edicts, General Gage to his Surprise found, that he had not Strength sufficient to carry them into Execution. In this Situation Things continued several Months, while on the one Hand, the General received Reinforcements; and on the other, the People acquired a Contempt for the Troops, and found Time to form their Militia into some Order to oppose the Force they saw accumulating for their Destruction. Hence, in the succeeding April, when the General commenced Hostilities, he was defeated. The Victory produced the most important Effects.—The People were animated to besiege Boston, where it soon appeared, that the British Troops were too weak to make any Impression upon them, thus acquiring Military Knowledge by the actual Operations of War.—The United Colonies were roused to Arms.—They new modelled their Militia—raised Regular Troops—fortified their Harbours—and crushed the Tory Parties among them.—Success fired the Americans with a Spirit of Enterprize.

IN the mean Time, the King passed such other Edicts, as, adding to the Calendar of Injuries, widened the Civil Breach; and narrowed the Band of the American Union. And, such Supplies were from Time to Time sent for the Relief of Boston, as not in any Degree sufficient to enable General Gage to raise the Siege; answered no other Ends, but to increase the Number, heighten the Spirit, advance the Discipline of the American Army: and to cause every Member of the Union to exert every Ability to procure Arms and Ammunition from abroad. Thus *trained* on evidently by the Almighty, these Troops, reproached the General Gage when they first sat down before Boston, that “with a preposterous Parade of Military Arrangements, they affected to hold the Army besieged;” in less than eleven Months compelled that

British Army, although considerably reinforced, to abandon Boston by Stealth, and to trust their Safety, not to their Arms, but to the Winds. The British Ministry have attempted to put a Gloss upon this Remove of their Army: However, the Cannon, Stores and Provisions they left in Boston, are in our Hands substantial Marks of their Flight.

THUS there appears to have been a Fatality in their Counsels, respecting Boston, the then grand Seat of Contention; their Forces being inadequate to the Enterprize on which they were sent: And under the same Influence have their Attacks been directed against Virginia and North Carolina; Savannah and this Capital. Such a *Series* of Events is striking! It surely displays an over-ruling Providence that has confounded the British Counsels, to the end that America should not have been at first shackled, and thereby prevented from acquiring a Knowledge of, and Confidence in her Strength, to be attained only by an experimental Trial and successful Exertion of it, previous to the British Rulers doing Acts driving her, either into Slavery or Independence.—The same Trace of an over-ruling Providence, is evident throughout the whole Transaction of the English Revolution of 1688. King James received early Information of the Prince of Orange’s Intention to invade England; and Lewis the XIV, offered the King a powerful Assistance. But, his Counsels were confounded from on high: He paid little Attention to the first—he neglected the last. The Winds blew, and how opportunely have they aided us; the Winds detained James’s Fleet at Anchor; while, they, *directing* the Course of the Prince, enabled him without any Loss to land in England, at a Time when no Person thought of a Revolution, which was destined to take Place, within but a few Weeks. Unexpected, wonderful and rapid Movements, character the British and American Revolutions: They do not appear to have been premeditated by Man. And from so close a Similitude, in so many Points, between the two Revolutions;

we have great Reason to hope, that the American, like the British, will be stable against the Tyrant.

As I said, in my last Charge, I drew a Parallel between the Causes which occasioned the English Revolution, and those which occasioned our local Revolution in March last; and I examined the famous Resolution of the Lords and Commons of England at Westminster, declaring the Law upon James's Conduct. The two first Points to it applied to our Cases in the closest Manner; and in applying the third, treating of James's withdrawing. I pointed out, that the Abdication of the Regal Government among us, was immediately effected, not only by the withdrawing of the Regal Substitute, with the Ensigns of Government; but that King George had withdrawn himself, "by withdrawing the constitutional Benefits of the Kingly Office, and his Protection out of this Country." Thus couching my Thoughts upon the Article of the withdrawing, in Order that the Parallel should be continued throughout as close as the Subject would admit, without attempting to extract the Essence from the Substance of the Resolution, to demonstrate that such a Parallel was not necessary: A Mode which, the Subject being new, might not then perhaps have been so generally satisfactory. But, as the American Revolution leads me again to mention that Resolution which in the strongest Manner justified it; I make no Scruple now to say, that the Resolution though appearing to point out several Kinds of Criminality, yet has only one Idea thus variously represented.

"RESOLVED, That King James the Second *having endeavoured to subvert* the Constitution of the Kingdom, by breaking the Original Contract between King and People; and by the Advice of Jesuits and other wicked Persons, *having violated* the fundamental Laws; and *having withdrawn himself* out of the Kingdom, has abdicated the Government, and that the Throne is thereby vacant."

BUT, before I make any further Observations upon this Resolution, allow me to shew you the Sense of Scotland in the last, and of America in the present Century, touching an Abdication of Government; and you will find, that the Voice of Nature is the same in either Extremity of the Globe, and in different Ages.

THE Estates of Scotland having enumerated King James's Mal-administration, and in which there was no Article of withdrawing, they declared, that "thereby he had forefaulted the Rights of the Crown, and the Throne was become vacant."—And the Representatives of the United States of America, stating their Grievances under King George the Third, decreed, that "he has abdicated Government here, by declaring us out of his Protection, and waging War against us." And, that "a Prince, whose Character is thus marked by every Act which may define a Tyrant, is unfit to be the Ruler of a free People."

THUS, in each Case it is apparent, the Abdication or forefaulting took Place from but one and the same Cause—*the Failure of Protection*: And this is the single Idea, that I apprehend is in the Resolution of Westminster. Search to understand, what is a Breach of the Original Contract—what, a Violation of the Fundamental Laws—wherein consisted the Criminality of James's withdrawing? Your Enquiry must terminate thus—*a Failure of Protection*.—Independent of the Nature of the Subject, the History of that Time, warrants this Construction upon the Withdrawing in particular. For upon James's first flying from Whitehall, quitting the Administration without providing a Power to protect the People, he was considered by the Prince of Orange, and the Heads of the English Nation, as having then absolutely abdicated the Government, and terminated his Reign; and they treated him accordingly upon his sudden Return to Whitehall: from whence he was *immediately* ejected. In short, a

Failure of Protection being once established, it necessarily includes, and implies a Charge of a Breach of Original Contract—a Violation of Fundamental Laws—and a withdrawing of the King: I do not mean the individual Person, but the Officer so called. For, the Officer being constituted to dispense Protection, and there being a Failure of it, it is evident *pri-ma facie*, that the Officer is withdrawn; and in Reality, because the Law will not admit, that the Officer can be present and not dispense Protection, as the Law ascribes to the King in his political Capacity absolute Perfection; and therefore it will *intend* a Withdrawing and Abdication, in Exclusion of any Idea of his being present and doing Wrong. Protection was the great End for which Mankind formed Societies. On this hang all the Duties of a King. It is the one Thing needful in Royalty.

UPON the Whole, what is Civil Liberty, or, by what Conduct it may be oppressed; by what Means the Oppression ought to be removed, or an Abdication or Forefaulting of the Government may be induced; cannot be precisely ascertained, and laid down as Rules to the World. Humanity is interested in these Subjects. Nature alone will judge; and she will decide upon the Occasion, without Regard to Precedent. In America, Nature has borne British Oppression, so long as it was tolerable; but, there is a Load of Injury which cannot be endured. Nature felt it. And, the People of America acting upon natural Principles, by the Mouths of their Representatives in Congress assembled, at Philadelphia on the fourth Day of July last, awfully declared—and revere the Sentence!—“That these United Colonies are, and of Right ought to be, Free and Independent States; that they are absolved from all Allegiance to the British Crown; and that all political Connection between them and the State of Great-Britain, is and ought to be totally dissolved.”

A DECREE is now gone forth, NOT to be recalled! And, thus has suddenly arisen in the World, a new Empire, stiled, The United States of America. An Empire that as soon as started into Existence, attracts the Attention of the Rest of the Universe; and bids fair, by the Blessing of God, to be the most glorious of any upon Record.—America hails Europe, Asia and Africa!—She proffers Peace and Plenty!

THIS Revolution, forming one of the most important Epochs in the History, not of a Nation, but, of the World; is, as it were, an Eminence from which we may observe the Things around us. And, I am naturally led to explain the Value of that grand Object now in our Possession and View—to state the American Ability by Arms to maintain the Acquisition—and to shew the Conduct, by which a Patriotic Grand Jury may aid the Establishment of our Infant Empire.

TO make Men sensible of the Value of the Object now in our Possession; we need no Ingenuity or Thought, or display of Eloquence. To him who doubts of the Meridian Sun, it is sufficient to point to it. So in the present Case, as well to demonstrate the Value of the Object, as the Justice of our Claim to it, we need only hold it up to View.—IT IS, TO MAINTAIN AMONG THE POWERS OF THE EARTH, THE SEPARATE AND EQUAL STATION TO WHICH THE LAWS OF NATURE AND OF NATURE’S GOD ENTITLE US.—A few Months ago, we sought only to preserve to the Labourer the Fruits of his Toil, free from the all coveting Grasp of the British Tyrant, *alieni appetens, sui profusus*; and to defend a People from being like brute Beasts bound in all Cases whatsoever. But, these two last Ingredients to make Life agreeable, are now melted into, inseparably blended with, and wholly included in the first, which is now become THE OBJECT, for which America, *ex necessitate*, wars against Britain—And I shall now point out to you the Continental Ability, by Arms to maintain this invaluable Station.

WHEN in modern Times, Philip of Spain became the Tyrant of the Low Countries in Europe; of seventeen Provinces which composed those Territories, seven only effectually confederated to preserve their Liberties, or to perish in the Attempt. They saw Philip the most powerful Prince in the Old World, and Master of Mexico and Peru in the New—Nations, incessantly pouring into his Territories, Floods of Gold and Silver. They saw him possessed of the best Troops, and the most formidable Navy in the Universe; and aiming at no less than universal Monarchy!—But, these seven Provinces, making but a Speck upon the Globe, saw themselves without Armies, Fleets, or Funds of Money: yet seeing themselves on the Point of being by a Tyrant bound in all Cases whatsoever, *nobly relying upon Providence and the Justice of their Cause*, they resolved to oppose the Tyrant's whole Force, and at least *deserve* to be free. They fought, they bled; and were often brought to the Door of Destruction.—THEY REDOUBLED THEIR EFFORTS IN PROPORTION TO THEIR DANGER. And, the Inhabitants of the *Speck* of Earth, compelled the Master of Dominions so extensive, that it was boasted the Sun was never absent, to treat with them as a free and independent People!

FOR a Moment, and with the Aid of a fearful Imagination, let us suppose, that the American States are now as defenceless, as the Hollanders then were; and that the King of Great-Britain is now as powerful as Philip then was. Yet even such a State of Things, could not be a Plea for any Degree of Submission on our Part. Did not the Hollanders oppose their Weakness to the Strength of Spain? Are not the Americans engaged in as good a Cause as the Hollanders fought in? Are the Americans less in love with Liberty than the Hollanders were? Shall we not in this a similar Cause, dare those Perils that they successfully combated? Shall we not *deserve* Freedom!—Our past Actions presage our future Achievements; and animate us in our Military Efforts for “Peace, Liberty and Safety.”—But, see the real Powers of Great-Britain.

STAGGERING beneath the Load of an enormous Debt, the very annual Interest of which in the Year 1775, amounted to upwards of four millions eight hundred and eighty thousand Pounds Sterling; Great-Britain scarcely supports the Weight, which is yet rapidly increasing. During the present Year, she prosecutes the War at a Charge of more than nineteen Millions Sterling, incurred by actual Expences, and by Loss of Revenue in Consequence of the War. Her Trade, her only Resource for Money, is now in a Manner destroyed; for her principal Trade, which was to this Continent, is now at an End; and she sustains heavy, very heavy Losses by the American Captures of her West-India Ships. Her Manufactures are almost at their last Morsel. Her public Credit is certain to fail even a short Continuance of the War. Her Fleets are not half manned. And she is so destitute of an Army, that she is reduced to supplicate event the petty German Princes for Assistance; and thinks it worth her while to make a separate Treaty to procure only 668 Men!—*a lost Effort to form an Army in America.*—But, after all this humiliating Exertion, she has *even upon Paper* raised a German Army of only 16,868 Men, who without 14,000 National Troops and a few Hanoverian Regiments compose the whole Military Force that she can collect for the American Service. Nay, so arduous a Task was even this; that her Grand Army of but 26,000 Men, could not open the present Campaign before the End of August last.—Add to these Particulars, the Troops are unaccustomed to the sudden Vicissitudes of the American Climate, and the Extremes of Cold, Heat, and Rain. They cannot proceed without Camp Equipage, because they are used to such Luxuries. The very Scene of their Operations is a Matter of Discouragement to them, because they know not the Country; and for their Supplies of Men, Stores and the greatest Part of their Provisions, they must look to Great-Britain—and there is a vast Abyss between.—Hence their Supplies must be precarious at best; and failing, they may

be involved in Ruin. A Check may affect them as a Defeat—a Defeat in Battle may annihilate their very Army.—Such seems to be the Situation of Great-Britain, while *only* the American War is on her Hands. But, do we not see FRANCE and SPAIN her *inveterate* Enemies, now watching for the critical Moment when they shall swallow up her West-India Islands! When this Crisis appears, which from the now quick Arrivals of French Vessels in America; and from the Forces already collected, and others now daily poured into the Islands by those Powers, cannot be far distant, what will be the Situation of Great-Britain!

ON the other Hand, America is possessed of Resources for the War, which appear as soon as enquired after; are found only by being fought for; and are but scarce imagined even when found. Strong in her Union, on each Coast and Frontier, she meets the Invaders, whether British or Indian Savages, repelling their allied Attacks. The Americans now live without Luxury. They are habituated to despise their yearly Profits by Agriculture and Trade. THEY ENGAGE IN THE WAR FROM PRINCIPLE. They follow their Leaders to Battle with personal Affection. Natives of the Climate, they bear the Vicissitudes and Extremities of the Weather—Hardy and robust, they need no Camp Equipage, and they march with Celerity. The common People have acute Understandings; and there are those in the higher Stations, who are acquainted with the Arts and Sciences; and have a comprehensive View of Things equally with those who act against them. In short, the American Armies meet the War where they may be constantly recruited and subsisted; comforted by the Aid of their Neighbours, and by Reflections upon the Justice of their Cause; and animated by seeing, that they arrayed in the Defence of all that is, or can be dear to them.

FROM such a People every Thing is to be hoped for, nothing is to be doubted of. Such a People though young in the

Practice of War, ever were superior to veteran Troops. To prove this, shall I direct your Attention to Europe, Asia and Africa, in their Histories to point out to you numberless Instances of this Sort? No, Gentlemen, America now attracts the Eyes of the World: she deserves our whole Attention—let us not search abroad and in remote or modern Times, for Instances of such a Kind, as we can find at Home and in our own Day. Need I mention, that such a People young in the Art of War, beat veteran Troops at Lexington; slaughtered them at Bunker's hill; and drove them out of Boston! or remind you of Sullivan's-Island, where in an unfinished wooden Fort, on a flat Coast, such Men, during 11 Hours, and at the Distance of 500 Yards, stood the whole and unintermitted Fire of a British Squadron of 2 Ships of the Line, 5 Frigates and a Bomb; and with 15 Pieces of Cannon, caused the Enemy to burn one of their largest Frigates, and to fly with the rest of the Squadron in a shattered Condition, from before our Capital!

SUCH a contrasted State of the Powers of America and of Britain, is I apprehend a just Representation of their Abilities with Regard to the present Wars; and if America behaves worthy of herself, I see no Cause to fear the Enemy. However, in such a Conflict, we ought to expect Difficulties, Dangers and Defeats. "What, shall we receive Good at the Hand of God, and shall we not receive Evil?" Job's Perseverance in his Duty under every Calamity, at length raised him to the Height of human Felicity; and, if we are firm, even our Defeats will operate to our Benefit. Let us remember, that it was to the Danger in which the Roman State was reared, that she owed her Illustrious Men and imperial Fortune. The Roman Dignity was never so majestic; her Glory never so resplendent; her Fortitude and Exertions never so conspicuous and nervous as when Hannibal, in the successive Battles of Trabia, Thrasymentis and Cannæ, having almost extirpated their whole military Force, *the very State*

was on the Brink of Dissolution.—The Romans *deserved*—and they *acquired* Victory!

AND now, Gentlemen of the Grand Jury, having in this Manner considered the Nature of the American Revolution upon Circumstances of Fact, and Principles of Law; I am to mark the Conduct which you ought to pursue, and which will enable you to aid the Establishment of our infant Empire. But, that I may naturally introduce this Subject, I shall first state and explain to you, the principal Articles of the Enquiry which you are sworn to make on the Part of the State, and for the body of this District; and these Articles I shall arrange under two Heads. The one relating to Crimes and Misdemeanours immediately injurious to Individuals—the other relating to such as are injurious to the State.

THOSE criminal Injuries that affect Individuals, respect either their Persons, Habitations, or Property. Of these Injuries, the most important are such as effect the Person; and of such, the Act depriving the Person of Life is the most enormous.

IN the Contemplation of Law, every taking of Life is a Homicide; and according to the particular Circumstances of each Case, this Homicide is purely voluntary, including the Cases of Felony, as Self-murder, Murder respecting another, and Manslaughter: Or, the Homicide is purely involuntary, as *per infortunium*, Misadventure: Or, of a mixed Kind, *ex necessitate*; as *se defendende* inducing a Forfeiture; or being under the Requisition or Permission of Law and not inducing any: And thus, Homicide is either justifiable, excusable or felonious.

IT is justifiable in all Cases *ex necessitate*; as when Life is taken by the legal Execution of a Criminal; or for the Advancement of Justice; or for the Prevention of some atrocious Crime.

IT is excusable in Case *per infortunium*, Misadventure; as when Life is taken by the doing a lawful Act without any evil Intention: So in Cases *se defendendo*; as a Man being attacked without any Provocation on his Part, and having *bona fide* retreated as far as he safely could, when for Self-Preservation he kills the Aggressor. And although this last, arises *ex necessitate*, and it would therefore seem to be rather justifiable than excusable, yet the Law intitles it *necessitas culpabilis*, and there by distinguishes it from the others. For, the Law so highly respects the Life of a Man, that it always intends some Misbehaviour in the Person who takes it away without any express legal Command or Permission.

BUT, Homicide is felonious in all Cases of Manslaughter, Murder, and Self-murder. In Cases of Manslaughter; as killing another without any Degree of Malice; and this killing may be either voluntary by a sudden Act of Revenge on a sudden Provocation and Heat; or it may be, *yet not strictly so*, involuntary, being in the Commission of some unlawful Act under the Degree of Felony; for this killing being the Consequence of the unlawful Act *voluntarily* entered upon the Law, because the *previous Intent*, will transfer *this*, from the original, to the *consequential* Object.

IN Cases of Murder; as killing another Person *ex malitiæ præcognitatâ*: And here it is necessary, that I particularly explain what the Law considers as Malice prepense.—Malice prepense then, is an Inclination of the Mind, not so properly bearing Ill will to the Person killed, the commonly received Notion; as containing *any evil Design*, the Dictate of a wicked and malignant Heart.—The Discovery of this secret Inclination of the Mind must arise, because it cannot any otherwise, only from the external Effects of it; and by such evidence, the Malignity of the Mind is held either express in Fact or implied in Law.—Thus, Malice-prepense is held to be express in Fact, when there is Evidence of a laying in wait;

or of Menacings antecedent; Grudges; or deliberate Com-passings to do some bodily Harm. Even upon a sudden Provocation, the one beating or treating another in an excessive and cruel Manner, so that he dies, though he did not intend his Death; the Slayer displays an express *evil Design*, the genuine Sense of Malice. This, is Evidence of a bad Heart; and the Act is equivalent to a deliberate Act of Slaughter. So any willful Action likely in its Nature to kill, without its being aimed at any Person in particular: For this shews an Enmity to all Mankind. So if two or more come to do any Felony, or any unlawful Act, the *probable* Consequence of which *might* be Bloodshed, and one of them kills a Man, it is Murder, in them all, because of the unlawful Act, the *malitiâ præcogitatâ* or *evil intended*.—But, Malice-prepense is held to be implied in Law, when one kills an Officer of Justice in the Execution of his Office, or any Person assisting him, though not specially called. Or when without sufficient Provocation, and no Affront by Words or Gestures only is a sufficient Provocation, a Man suddenly kills another. Or, when upon a chiding between Husband and Wife, the Husband strikes the Wife with a Pestle or other dangerous Weapon, and she presently dies. These and similar Instances, are Evidences of a Malice prepense on the Part of the Slayer; and he shall be held guilty of Murder.—In Cases of Self-murder, there must be a voluntary and deliberate putting an End to one's Existence; or doing some unlawful malicious Act, the Consequence of which is his own Death. In a Word, all Homicide is *presumed* to be malicious, until the contrary is made to appear in Evidence.

THERE is a regular Gradation of Importance in the component Parts of the universal System; and therefore, there must be a Scale marking the Degrees of Injury. We have examined the highest Injury that can be committed or perpetrated upon the Person of an Individual—let us now turn our Attention to such Injuries against the Person, as are of an inferior Nature.

OF these, the first in Degree is Mayhem, which is the cutting out, with Malice prepense, or disabling the Tongue, putting out an Eye, slitting the Nose, cutting off a Nose or Lip, or depriving another of the Use of such of his Members as may render him the less able to defend himself, or annoy his Adversary. The next is Rape. Then the infamous Crime against Nature. These are Felonies. But, there are yet other Injuries against the Person, which being of a less flagrant Degree, are, by the Tenderness of the Law, described under the gentler Term of Misdemeanors. Such are Assaults, Batteries, Wounding, false Imprisonment, and kidnapping. Here, in a Manner terminates the Scale of Injuries against the Person: We will now state such as may be perpetrated against his Mansion, or Habitation.

By the universal Consent of all Ages, the Dwelling-House of Man, was, and is endowed with peculiar Immunities and valuable Privileges. Among the Ancients, if even an Enemy reached the Fire-Place of the House, he was sure of Protection. Thus we find Coriolanus at the Fire-Place of Tullus Ausidius, chief of the Volscian Nation, discovering himself to Ausidius his public and private Enemy; and supplicating and receiving his Protection against Rome from whence he was banished. And, on this Subject of a Dwelling; Cicero the great Roman Lawyer, Orator and Statesman, thus pathetically expresses himself. “What is more inviolable, what better defended by Religion than the House of a Citizen? Here are his Altars, here his Fire-Hearths are contained—this Place of Refuge is so scared to all Men, that to be dragged from thence is unlawful.” In like Manner we find, that at Athens the Habitation was particularly protected by the Law: Burglary was there punished with Death, altho' Theft was not. And our Law hath so special a Regard to a Man's Dwelling-House, that it terms it his Castle, and will not suffer it to be violated with Impunity. The Law ranges the Injuries against it, under two Heads—Arson, and Hamesecken or House-

breaking: And, this last it divides into legal or proper Burglary, which is nocturnal Housebreaking, and Housebreaking by Day.

ARSON is an Injury that tends by Fire to annihilate the Habitation of another Person; or other House, that, being within the Curtilage or Homestall, may be reasonably esteemed a Parcel of it, tho' not contiguous. So, a Barn in the Field with Hay or Corn in it. But, this Injury by Fire, must be done with a malicious Intent; otherwise it is only Trespass.

BURGLARY, is breaking and entering in the Night time, the Mansion House of another, with Intent to commit some Felony therein, whether the felonious Intent be executed or not: And all such Houses are the Objects of Burglary, and of Housebreaking, as are described in the Case of Arson.

BUT, to violate this Place of Protection in the Day, by robbing therein, and putting any Dweller in Fear, although there be no actual Breach of the House: Or by breaking and robbing in the House, a Dweller being therein and not put in Fear: Or by robbing and breaking the House actually taking something, none being in the House: Or by feloniously taking away something to the Value of 35*£* Currency, or upwards, no Person being in the House: Or by breaking the House with Intent to commit a Felony, any Person being in the House are put in Fear, though nothing be actually taken: Any such Violation is called Housebreaking—a Crime not of so atrocious a Nature as Burglary. For, in the Contemplation of our Law, as well as of all others, Violences perpetrated in the Night, are of a more malignant Tendency than similar ones by Day: Because, Attacks in the Night occasion a greater Degree of Terror; and because, they are in a Season by Nature appropriated to the necessary Rest and Refreshment of the human Body, which is then, by Sleep, disarmed of all Attention to its Defence.

WITH Respect to Injuries against a Man's personal Property, they are to be considered under three Heads. Larceny, malicious Mischief, Forgery. And Larceny, the first of these, is either simple or mixt.

SIMPLE LARCENY, or common Theft, is a felonious and fraudulent taking and carrying away, the mere personal Goods of another—here, no Violence or Fear is implied. If Goods so taken are above the value of *seven Shillings* Currency; the Offence is termed *grand Larceny*: But if they are not exceeding that Value, the Act is *petit Larceny*.—Mixt Larceny, has in it all the Ingredients of simple Larceny; but it is aggravated by a taking from the House or Person; and this taking, is yet aggravated if it is under the Impression of Violence or Fear. Such a taking in the House with or without Violence or Fear, may or may not fall within the Crimes of Burglary or Housebreaking, according to the Circumstances. And, such a taking from the Person, without, or with Violence or Fear, will be but simple Larceny in the first Case; in the other, it is a Robbery, and the Value is of no Consideration.

MALICIOUS Mischief, is a species of Injury that bears a near Relation to the Crime of Arson. A Dwelling is the Object of Arson; but, other Property is the Subject for malicious Mischief to operate upon; and indeed this Spirit of wanton Cruelty has a wide Field of Action. This horrible Spirit displays itself by burning or destroying the Property of another, as a Stack of Rice, Corn or other Grain; or any Tar kiln, Barrels of Pitch, Turpentine, Rosin or other Growth, Product, or Manufacture of this State: Or killing or destroying any Horse, Sheep or other Cattle.

AT length, the Crime of Forgery, concludes the Calendar of public Offences against the Property of an Individual; I need only define the Crime: It is a fraudulent Making or Alteration of a Writing to the Prejudice of another Person.

HAVING in this Manner marked out to you, the distinguishing Features of the principal Crimes and injuries against the Person, Habitation and Property of an Individual; I now desire your Attention, and I shall not long detain it, while I delineate those against the State; Objects which ought most carefully to be observed wherever they appear. I have purposely thus reserved this Subject, as well, because it is of the most important Nature, and virtually includes the other; as that by being the *last* described, you may be the *more likely* to retain the Impression of it. Every Outrage and Violence against the Person, Habitation or Property of an Individual, is a Crime, a Misdemeanor, or a Contempt, and therefore an Injury against the State, bound by original Compact to protect the Individual in his Rights. For, no Man conceiving himself injured has any Authority or Shadow of it, to redress himself; because the State has established Courts which are *vindices injuriarum*. Hence, every criminal Injury against the Individual, must ultimately *wound* the State; and be included in the Offences against the Body politic, which must be more important in their Nature than those relating to the Individual, because they are more extensive, and of a higher Degree of Criminality. It behoves you therefore to watch for the public Safety; for this is to be attentive to your private Security.

IT is not by any Means necessary that I trace these Crimes, as they are branched by the Law. The present public Service requires your immediate particular Attention to Offences done against only four Acts of Assembly—the Patrol and Negro Laws—the Law against counterfeiting the Certificates issued by the late Houses of Assembly, or the Currency issued by the Congress of the Continent or of this Country—and, the Law to prevent Sedition, and to punish Insurgents and Disturbers of the public Peace.

THE two first Laws, are calculated to keep our Domestics in a proper Behaviour. The two last were expressly formed, as two Pillars to support our new Constitution; and therefore, these last are your most important Objects. I shall fully explain them.

THE Act against counterfeiting, extends to all Persons who counterfeit, raze or alter; or utter, or offer in Payment, knowing the same to be counterfeited, razed or altered, any Certificate or Bill of Credit under the Authority of the late Commons House of Assembly, or the Congresses of his Country or of the Continent.

THE Law to prevent Sedition, guards against those Actions as, in such a Crisis as this, might reasonably be expected to operate against our present honourable and happy Establishment. And the Variety and Importance of those Actions, make it necessary for me to particularize them to you.

THIS salutary Act, touches all Persons taking up Arms against the Authority of the present Government; or who, by Violence, Words, Deeds or Writing, cause or attempt to cause, induce, or persuade any other Person to do so. In like Manner, all Persons who give Intelligence to or hold Correspondence with, or aid or abet any Land or Navel Force sent by Great-Britain; or any other Force or Body of Men within this State with hostile Intent against it. So, those who compel, induce, persuade or attempt to do so, any white Person, Indian, free Negro, or Slave, to join any Force under Authority derived from Great-Britain. And so, all Persons who collect or assemble with any others, or procure them to be assembled with Intent in a riotous and seditious Manner, to disturb the public Peace and Tranquility; and by Words, or otherwise, create and raise traiterous Seditions or Discontents, in the Minds of the People against the public Authority.

THUS having stated to you such criminal Injuries against an Individual, or the State, as may be most likely to come within your Nonce: It is a natural Consequence, that I describe the Person by Law held capable of committing such Injuries.

IN the first Place, the Party must be of sound Memory at the Time of committing the Offence; and it is the leading Principle in every Case. If the Party is under seven Years of Age, no Evidence can possibly be admitted to criminate; because, the Law holds, that the Party cannot discern between Good and Evil. But, if the Accused is above seven and under fourteen; he is able to be criminated, if at the Time of his committing the Injury, his Understanding was so rife as to occasion him to shew a Consciousness of Guilt, the Rule being, *malitia supplet ætatem*. And, if the Party is of the Age of fourteen, which is the Age of Discretion; the Law *prima facie* considers him capable of committing Offences, as a Person of full Age. Also, a Lunatic for Crimes perpetrated in a lucid Interval. Also, a Man for Crimes done in a State of Drunkenness voluntarily contracted; and so far is this artificial Insanity from excusing, that it tends to aggravate the Offence.

ALL those Particulars relating to the Person, Habitation and Property of an Individual; those respecting the Safety, Peace and Tranquillity of the State; and these describing the Perpetrator of criminal Injuries; are so many proper Frauds for your diligent Enquiry: And, such Offenders and Offences being within your Knowledge; you must make due Presentment of them. You are to hear Evidence only on the Part of an Information to you of an Offence; for an Indictment by you is only in the Nature of a solemn and public Accusation, which is afterwards to be tried and determined by others: You are only to examine, whether there be sufficient Cause to call upon the Party to answer. Twelve of you at least, must

agree in Opinion, that the Accused ought to undergo a public Trial—so twelve of her Jurors are to declare him, innocent or guilty—Happy Institution, whereby no Man can be declared a Criminal, but by the concurring Voices of at least four and twenty Men; collected in the Vicinage by blind Chance; upon their Oaths to do Justice; and against whom, even the Party himself has no Exception!

THUS, Gentlemen of the Grand Jury, with the best Intentions for the public Service, however executed; having declared to you, that you are not *bound* under, but *freed* from the Dominion of the British Crown; I thought myself necessarily obliged, and I have endeavoured to demonstrate to you, that the Rise and Fall of Empires are natural Events—that the Independence of America *was* not, at the Commencement of the late Civil War; or even at the Conclusion of the last Year, *the Aim of the Americans*—that their Subjection to the British Crown, being released by the Action of *British Oppression*, the Stroke of *the British Sword*, and thus the Tenor of *a British Act of Parliament*; their *natural Rise* to Empire was *conducted* by THE HAND OF GOD!—that the same strong Hand, by Proceedings equally unexpected, wonderful and rapid as in our Case, conducted the English Revolution of 1688—that the Revolutions in England and Scotland at that Period, and in America now giving a new Epocha to the History of the World, were founded in the *same* immediate Cause; a Failure of Protection—that those Revolutions concurred, in *one grand Evidence* of the Feelings of Nature on such a Subject—that every Species of Mal-administration in a King is to be traced to a Failure of Protection, which is the only Instrument working his Abdication—that the Object for which we contend, is *just* in its Nature and of *inestimable* Value—that the American Revolution may be supposed with the fairest Prospect of Success by Arms—and that it may be powerfully aided by a Grand Jury.

GENTLEMEN ! I do most cordially congratulate you, placed as you are in a Station, honourable to yourselves, and beneficial to your Country. Guardians of the Innocent, you are appointed to send the Robber, the Murderer, the Incendiary and the Traitor to Trial. Your Diligence in enquiring for such Offenders, is the Source of your own Honour, and a Means of your Country's Safety; and although no such Offenders be found, your laudable Search will yet tend to curb a Propensity to Robbery, Murder, Sedition and Treason.—See Gentlemen, what great Advantages may result from your vigilant and patriotic Conduct! Your Ears ought to be *shut*, to the Petitions of Friendship: and to the Calls of Consanguinity—but, they ought to be *expanded* to receive the *Complaints of your injured Country*, and the *Demands of Impartial Justice*. Brutus inflicted upon his Sons, the *ultimum supplicium*, for conspiring to re-establish the Regal Government in Rome. And, if a similar Occasion should arise in America, which God forbid; I trust, a Brutus will not be wanting! Let those, if there are any such, who treacherously or pusillanimously hanker after a Return of Regal Government; remember such Things and tremble.—Let us ever remember, rejoice and teach our Children, that the American Empire is composed of States that are, and of Right ought to be, free and independent; “that they are absolved from all Allegiance to the British Crown; and that all political Connection between them and the State of Great-Britain, IS AND OUGHT TO BE TOTALLY DISSOLVED.”

SOUTH-CAROLINA.

At a Court of GENERAL SESSIONS OF THE PEACE, OYER AND TERMINER, ASSIZE AND GENERAL GAOL DELIVERY, begun to be held at Charlestown, for the District of Charlestown, on Tuesday, October 15th in the Year of our Lord One Thousand Seven Hundred and Seventy-six.

The PRESENTMENTS of the GRAND JURY
for the said District.

I. IT is with most cordial Satisfaction we embrace this Opportunity of offering our Congratulations on the late Declaration of the Continental Congress constituting the United Colonies of North-America Independent States; an Event however once dreaded as repugnant to those Hopes of Peace and Friendship with the British State, which was then ardently entertained; yet which every American must now most joyfully embrace, as the only happy Means of Salvation and Security, and the surest Prevention to the treacherous and cruel Designs of a wicked and detestable Enemy.

II. As the Kind and beneficent Hand of a wise and bounteous Providence has so ordered and disposed of human Events, that from Calamities which were dreaded as the most miserable and destructive to America, Benefits the most advantageous, honourable and desirable have arisen to her, which now give a very joyful Prospect of Liberty and Happiness. We think our grateful Sense of such peculiar Care and Protection cannot be manifested in a Way more acceptable and proper than in a strict Regard to the Duties which Mankind owe to their God.

III. We present the growing Evil of many Churches established by Law, falling to Decay, and some remaining without Ministers to perform Divine Service, in diverse Parishes in

this District, by which Means the Spirit of Religion will decline, and become prejudicial to the Manners of the People.

IV. We present and recommend a proper Militia Law to be made, in such Manner as to compel impartially and equally all Degrees of Persons liable to do the Duty therein required, so as to enable the good People of this State (who are now become principally the Guardians thereof) to repel any domestic or feign Enemy as far as possible.

V. We present and recommend, that Care may always be had, that none but Gentlemen of Weight and Influence, and good Example, be prevailed on to qualify and act in the Commission of Peace by whose Influence, Licentiousness, Sedition and Profligacy may be suppressed, and good Order maintained.

VI. We present and recommend. That some Office may be created in this District, whereby Executions and Sales by the Sheriff may be recorded, so that on the Death or Removal of the Sheriff Recourse may be had to such Records by those concerned.

VII. WE present and recommend, That Jews and others may be restrained from allowing their Negroes to sell Goods in Shops, as such Practice may induce other Negroes to steal and barter with them.

VIII. WE present the ill Practice of Jews opening their Shops and selling of Goods on Sunday, to the Profanation of the Lord's Day.

IX. We present the Barrack-Master, Philip Will, for seizing of Firewood on the Wharves, under Pretence of the Public, when he applies the same to his own Use, to the Distressing of the Inhabitants. By Information of Mr. Patrick Hinds, one of the Grand Jurors.

X. WE present the Want of more Constables in this District, we being informed that there are only four in this Town.

XI. WE return our Thanks to his Honour the Chief Justice for his excellent Charge delivered at the Opening of the Sessions, and desire that the Charge and these Presentments be forthwith printed and published.

| | |
|--------------------------------|---------|
| JOSEPH GLOVER, <i>Foreman,</i> | (L. S.) |
| BENJAMIN BAKER, | (L. S.) |
| BENJAMIN DART, | (L. S.) |
| JOHN FULLERTON, | (L. S.) |
| CHRISTOPHER FITZSIMONS, | (L. S.) |
| WILLIAM HOPTON, | (L. S.) |
| WILLIAM HALE, | (L. S.) |
| PATRICK HINDS, | (L. S.) |
| CHARLES JOHNSTON, | (L. S.) |
| ANDREW LORD, | (L. S.) |
| JOHN MILES, | (L. S.) |
| WILLIAM RUSSEL, | (L. S.) |
| STEPHEN TOWNSEND. | (L. S.) |

*Set in IM Fell French Canon, a typeface originally cut by
Peter de Walpergen in the late seventeenth century, and digitized
and furnished by Iginio Marini <http://www.iginomarini.com/fell.html>*

*Page design adapted from the Charlestown, South Carolina,
first edition of 1776. Composition*

by Paul Royster.

