

CAPTAIN JACK'S CERTIFICATE.

Having seen in the newspapers some pieces respecting the Declaration of Independence by the people of Mecklenburg county, in the State of North Carolina, in May, 1775, and being solicited to state what I know of that transaction; I would observe, that for some time previous to, and at the time those resolutions were agreed upon, I resided in the town of Charlotte, Mecklenburg county; was privy to a number of meetings of some of the most influential and leading characters of that county on the subject, before the final adoption of the resolutions—and at the time they were adopted; among those who appeared to take the lead, may be mentioned Hezekiah Alexander, who generally acted as Chairman, John M'Knitt Alexander, as Secretary, Abraham Alexander, Adam Alexander, Maj. John Davidson, Maj. (afterwards) Gen. Wm. Davidson, Col. Thomas Polk, Ezekiel Polk, Dr. Ephraim Brevard, Samuel Martin, Duncan Ochle-tree, William Willson, Robert Irvin.

When the resolutions were finally agreed on, they were publicly proclaimed from the court-house door in the town of Charlotte, and received with every demonstration of joy by the inhabitants.

I was then solicited to be the bearer of the proceedings to Congress. I set out the following month, say June, and in passing through Salisbury, the General Court was sitting—at the request of the court I handed a copy of the resolutions to Col. Kennon, an Attorney, and they were read aloud in open court. Major William Davidson, and Mr. Avery, an attorney, called on me at my lodgings the evening after, and observed, they had heard of but one person, (a Mr. Beard) but approved of them.

I then proceeded on to Philadelphia, and delivered the Mecklenburg Declaration of Independence of May, 1775, to Richard Caswell and William Hooper, the Delegates to Congress from the State of North-Carolina.

I am now in the eighty-eighth year of my age, residing in the county of Elbert, in the State of Georgia. I was in the Revolutionary War, from the commencement to the close. I would further observe, that the Rev. Francis Cummins, a Presbyterian Clergyman, of Greene county, in this State, was a student in the town of Charlotte at the time of the adoption of the resolutions, and is as well, or perhaps better acquainted with the proceedings at that time, than any man now living.

Col. William Polk, of Raleigh, in North-Carolina, was living with his father Thomas, in Charlotte, at the time I have been speaking of, and although then too young to be forward in the business, yet the leading circumstances I have related cannot have escaped his recollection.

JAMES JACK.

Signed this 7th Dec. 1819, in presence of
JOB WESTON, C. C. O.
JAMES OLIVER, Atto. at Law.

Lexington, (Georgia,) November 16, 1819.

DEAR SIR,—The bearer, the Hon. Thomas W. Cobb, has suggested to me that you had a desire to know something particularly of the proceedings of the citizens of Mecklenburg county, in North-Carolina, about the beginning of our Revolutionary War.

Previous to my becoming more particular, I will suppose you remember the Regulation business, which took its rise in or before the year 1770, and issued and ended in a battle between the Regulators and Governor Tryon, in the spring of 1771. Some of the Regulators were killed, and the whole dispersed. The Regulators' conduct "was a *rudis indigestaque moles*," as Ovid says, about the beginning of creation; but the embryotic principles of the Revolution were in their temper and views. They wanted strength, consistency, a Congress and a Washington at their head. Tryon sent his officers and minions through the State, and imposed the oath of allegiance upon the people, even as far up as Mecklenburg county. In the year 1775, after our Revolution began, the principal characters of Mecklenburg county met on two sundry days, in Queen's Museum in Charlotte, to digest Articles for a State Constitution, in anticipation that the Province would proceed to do so. In this business the leading characters were, the Rev. Hezekiah James Balch, a graduate of Princeton College, an elegant scholar; Waightstill Avery, Esq. Attorney at Law; Hezekiah and John M'Knitt Alexander, Esqrs. Col. Thomas Polk, &c. &c.

Many men, and young men, (myself one) before magistrates, abjured allegiance to George III, or any other foreign power. At length, in the same year, 1775, I think at least positively before July 4th, 1776, the males generally of that county, met on a certain day in Charlotte, and from the head of the court-house stairs proclaimed Independence on English Government, by their herald Col. Thomas Polk. I was present, and saw and heard it, and as a young man, and then a student in Queen's Museum, was an agent in these things. I did not then take and keep the dates, and cannot, as to date, be so particular as I could wish. Capt. James Jack, then of Charlotte, but now of Elbert county, in Georgia, was sent with the account of these proceedings to Congress, then in Philadelphia—and brought back to the county, the thanks of Congress for their zeal—and the advice of Congress to be a little more patient, until Congress should take the measures thought to be best.

I would suppose, sir, that some minutes of these things must be found among the records of the first Congress, that would perfectly settle their dates. I am perfectly sure, being present at the whole of them, they were before our National Declaration of Independence.

Hon. Sir, if the above few things can afford you any gratification, it will add to the happiness of your friend and humble servant.

FRANCIS CUMMINS.

Hon. NATHANIEL MACON.

Vesuvius Furnace, 4th October, 1830.

DEAR SIR,—Agreeably to your request, I will give you the details of the Mecklenburg Declaration of Independence on the 20th of May, 1775, as well as I can recollect after a lapse of fifty-five years. I was then a lad about half grown, was present on that occasion (a looker on.)

During the Winter and Spring preceding that event, several popular meetings of the people were held in Charlotte; two of which I attended.—Papers were read, grievances stated, and public measures discussed. As printing was not then common in the South, the papers were mostly manuscript; one or more of which was from the pen of the Reverend Doctor Reese, (then of Mecklenburg,) which met with general approbation, and copies of it circulated. It is to be regretted that those and other papers published at that period, and the journal of their proceedings, are lost.—They would show much of the spirit and tone of thinking which prepared them for the measures they afterwards adopted.

On the 20th of May, 1775, besides the two persons elected from each militia company, (usually called Committee-men,) a much larger number of citizens attended in Charlotte than at any former meeting—perhaps half the men in the county. The news of the battle of Lexington, the 19th of April preceding, had arrived. There appeared among the people much excitement. The committee were organized in the court house by appointing Abraham Alexander, Esq. Chairman, and John M'Knitt Alexander, Esq. Clerk or Secretary to the meeting.

After reading a number of papers as usual, and much animated discussion, the question was taken, and they resolved to declare themselves independent. One among other reasons offered, that the King or Ministry had, by proclamation or some edict, declared the Colonies out of the protection of the British Crown; they ought, therefore, to declare themselves out of his protection, and resolve on independence. That their proceedings might be in due form, a sub-committee, consisting of Doctor Ephraim Brevard, a Mr. Kennon, an attorney, and a third person, whom I do not recollect, were appointed to draft their Declaration. They retired from the court house for some time; but the committee continued in session in it. One circumstance occurred I distinctly remember: A member of the committee, who had said but little before, addressed the Chairman as follows: "If you resolve on independence, how shall we all be absolved from the obligations of the oath we took to be true to King George the 3d about four years ago, after the Regulation battle, when we were sworn whole militia companies together. I should be glad to know how gentlemen can clear their consciences after taking that oath." This speech produced confusion. The Chairman could scarcely preserve order, so many wished to reply. There appeared great indignation and contempt at the speech of the member. Some said it was nonsense; others that allegiance and protection were reciprocal; when protection was withdrawn, allegiance ceased; that the oath was only binding while the King protected us in the enjoyment of our rights and liberties as they existed at the time it was taken; which he had not done, but now declared us out of his protection;

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therefore was not binding. Any man who would interpret it otherwise, was a fool. By way of illustration, (pointing to a green tree near the court house,) stated, if he was sworn to do any thing as long as the leaves continued on that tree, it was so long binding; but when the leaves fell, he was discharged from its obligation. This was said to be certainly applicable in the present case. Out of respect for a worthy citizen, long since deceased, and his respectable connexions, I forbear to mention names; for, though he was a friend to the cause, a suspicion rested on him in the public mind for some time after.

The sub-committee appointed to draft the resolutions returned, and Doctor Ephraim Brevard read their report, as near as I can recollect, in the very words we have since seen them several times in print. It was unanimously adopted, and shortly after it was moved and seconded to have proclamation made and the people collected, that the proceedings be read at the court house door, in order that all might hear them. It was done, and they were received with enthusiasm. It was then proposed by some one aloud to give three cheers and throw up their hats. It was immediately adopted, and the hats thrown. Several of them lit on the court house roof. The owners had some difficulty to reclaim them.

The foregoing is all from personal knowledge. I understood afterwards that Captain James Jack, then of Charlotte, undertook, on the request of the committee, to carry a copy of their proceedings to Congress, which

then sat in Philadelphia; and on his way, at Salisbury, the time of court, Mr. Kennon, who was one of the committee who assisted in drawing the Declaration, prevailed on Captain Jack to get his papers, and have them read publicly; which was done, and the proceedings met with general approbation. But two of the Lawyers, John Dunn and a Mr. Booth, dissented, and asserted they were treasonable, and endeavored to have Captain Jack detained. He drew his pistols, and threatened to kill the first man who would interrupt him, and passed on. The news of this reached Charlotte in a short time after, and the executive of the committee, whom they had invested with suitable powers, ordered a party of ten or twelve armed horsemen to bring said Lawyers from Salisbury; when they were brought, and the case investigated before the committee. Dunn, on giving security and making fair promises, was permitted to return, and Booth was sentenced to go to Camden, in South Carolina, out of the sphere of his influence. My brother George Graham and the late Col. John Carruth were of the party that went to Salisbury; and it is distinctly remembered that when in Charlotte they came home at night, in order to provide for their trip to Camden; and that they and two others of the party took Booth to that place. This was the first military expedition from Mecklenburg in the Revolutionary war, and believed to be the first any where to the South.

Yours respectfully,

J. GRAHAM.

Dr. Jos. M^KT. ALEXANDER.
Mecklenburg, N. Carolina.

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