

"Some grievous oppressions"

Herman Husband, *An Impartial Relation of the First Rise and Cause of the Recent Differences in Publick Affairs, in the Progress of the So Much Talked of Regulation in North Carolina*, reprinted in *Revolutionary History of North Carolina* (see <http://books.google.com/books?id=UheoDQG9QsoC>) (Raleigh: William D. Cooke, 1853), 19–28.

As you read...

HERMAN HUSBAND

Herman Husband was a successful farmer near present-day Siler City in Chatham County. A Quaker from Annapolis, Maryland, he had moved there because he believed the backcountry to be a kind of paradise of free men. Although he owned more than 8,000 acres, he supported the Regulators' principles.

Husband's personal magnetism and skilled speaking made him an early leader in the Regulator movement. Husband began the Sandy Creek Association, the first organization of Regulators, in 1766. He was one of the men arrested in April 1768 and then freed by the mob.

In 1770 he was elected to the colonial assembly, but was expelled for having been "a promotor of the late Riots and seditions." As a pacifist, he tried to negotiate a compromise between Governor Tryon and the Regulators before the Battle of Alamance in the spring of 1771, but failed. Husband, who had a price on his head, fled North Carolina for Pennsylvania.

SERMONS TO ASSES

Husband wrote two pamphlets about the Regulation. In the first, published in 1770, he described events up to 1768, and he closed with a pair of sermons. This page is an excerpt from one of those sermons. Husband adapted it from a sermon by James Murray, a dissenting British minister, called "Sermons to Asses."

In this sermon, Husband compared the poor of North Carolina to asses, the beasts of burden of biblical times. The lawyers and government officials, he said, were riding the people like beasts of burden. A pacifist, Husband argued against violence. The people, he said, should elect honest men to public office, instruct them to protect the people's freedom, and turn them out of office if they failed in their duty.

THE IMPORTANCE OF RELIGION

The Regulation (and the Revolution) took place just after the Great Awakening, when religious fervor swept the backcountry. The North Carolina Piedmont also had an especially large number of religious dissenters who did not belong to the Church of England. As a result, many of the Regulators' arguments combined religion with politics. Herman Husband, in particular, believed that religious liberty and civil liberty were closely linked.

I shall now consider some grievous oppressions that we labor under.

First, The Publick taxes is an unequal burden on the poor of this province, by reason the poorest man is taxed as high as the richest¹. Allowing the taxes to be all necessary, yet there ought to be some regard had to the strength of the beast; for all asses are not equally strong. We ought to be taxed according to the profits of each man's estate. And as we have no trade to circulate money, this tax ought to be paid in country produce. There would be men enough to be found to fill all posts of office for a salary paid in produce, as any man can afford to officiate in an office for country produce² as well as to farm or follow any other calling, the chief of which bring in nothing else.

This is a grievous burden on the poor, as matters have been carried on, for money is not to be had³: And when a poor man's goods is distrained⁴, the practice has been to take double, treble, yes ten times the value has sometimes been taken away. —And if they complain, they are not heard; if they resist, they are belabored like asses.

Merciful Lord, would any people rise in mobs to disturb a peaceable nation if they could help it! Who is more ready than the poor to venture their lives in time of war for the safety of the nation! nay it is pinching hunger and cold, brought on them by abuse of officers, that is the cause....

Neither is it any reflection on the king, to say, the poor are oppressed; for he don't make our laws: —'Tis the subjects themselves, like the fish, devouring one another, with this difference, we are devoured by law.

The narrow limits of our inferior court's jurisdiction, and likewise of a single magistrate, is a grievous burden on both poor and rich; and more so as we are obliged to fee lawyers; and in their demands they have got above the law, and have monopolized the whole power of the courts into their own hands... [T]he lawyers use us as we do our stocks, they kill one here and there, or pluck us well, and then let us run a while to feather again.

We must make these men subject to the laws, or they will enslave the whole community. —General and private musters are also an unnecessary burden⁵, especially in our large counties, the out sides of which have to ride from thirty to fifty miles; and the out sides of a county contain more than the heart. Going to one of these musters generally costs a whole week's labour. —And on the whole, costs the counties at least a Thousand Pounds each. A general muster is one week's loss in a year, which is one-fiftieth part of the year. —Four private musters one week more, which is one twenty-fifth part. —Working on the roads⁶ and attending courts, will soon reduce it to one-twelfth part of our time. —And of what service is all this cost attending the militia law? It serves to bring custom to a few Ordinary-Keepers⁷, and for a day of gaiety and feasting to a few individuals, who have been vain enough sometimes to publish such a day's diversion in distant Gazettes.

With what indignation must a poor ass read such a paragraph of such vain boasting of such a crowd of poor asses, faint with hunger, cold and thirst, laying out two or three nights by a fire in the woods, to perform this journey; destitute even of a great coat of a blanket; and of no use under the sun but to make a show of grandeur to a few who, perhaps, are the most unworthy in the county.

This excess has not been practiced perhaps in many counties; —But it is not amiss to check it, lest it should grow, and you be tied neck and heels⁸ for the least affront, and made to ride the wooden mare⁹. —It is enough to make a freeman's flesh creep to read this law; —which might be more tolerable, were the people allowed to choose their own officers.

—It would be needless to mention every circumstance of oppression in this, which is yet but the civil burden.

. . .

I shall now proceed to the 3d head, to consider of a method to remove these burdens.

When the time of an election comes on, and those man of the world, who rule by wealth, and whose business it is to corrupt their fellow subjects, and cheat them by flattery and corruption; out of their liberty come to ask your votes, —do you despise their offers¹⁰, and say to them, Your money perish with you....

Secondly, Forever despise that man who has betray'd the liberty of his constituents; this will lay a restraint upon the venal disposition of such as Incline to sell their country for Preferment. It would be a check to hinder them from going into the schemes of a Governor. —Never send those who depend on favour for a living, or on the perplexity of the laws¹¹, nor any who have ever discovered a want of good principles.

North-Carolinians, if you remain under these burdens, it must be your own faults¹²; —you will stand recorded for asses to all generations if you do not assert your privileges before it is too late to recover them. It is not disloyalty, nor injurious, to give Instructions to the candidates you choose, and take their solemn promise and obligation, that they will follow those instructions. This is far more noble than rioting a few days in drunkenness. Assembly men are your servants, and it is but reasonable they be made accountable to you for their conduct....

Finally, My brethren, whenever it is in your power, take care to have the house of assembly filled with good honest and faithful men; and encourage and instruct them on all occasions: And be sure to let your elections be no expence to them¹³.

Sources

For more about the Regulators, see Marjoleine Kars, *Breaking Loose Together: The Regulator Rebellion in Pre-Revolutionary North Carolina* (see <http://www.learnnc.org><http://www.worldcat.org/oclc/47755765>) (Chapel Hill: University of North Carolina Press, 2002).

On the web

"Shew Yourselves to be Freeman"

<http://www.learnnc.org/lp/pages/4617>

To the inhabitants of the Province of North-Carolina. Dear Brethren, Nothing is more common than for Persons who look upon themselves to be injured than to resent and complain. These are sounded aloud,...

Nathan Cole and the First Great Awakening

<http://www.learnnc.org/lp/pages/4213>

Diary of a Connecticut man from the 1760s tells of his conversion experience after attending a revival at which the famous minister George Whitefield preached. Historical commentary explains the differences between eighteenth-century and present-day religion and revivals.

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Notes

1. This kind of tax is called a *poll tax*, which requires everyone to pay the same amount of money. In North Carolina in the 1760s, the poll tax was seven shillings sixpence per year for each white man over the age of sixteen and each person of color over the age of twelve.
2. The *produce* of farms was whatever crops those farms produced (not just fresh fruits and vegetables, as we use the term today). Husband is suggesting that taxes be payable in whatever a farmer grew, such as tobacco or corn — not only in hard cash, since there was so little cash in the economy.
3. There had never been enough money circulating in colonial America (see “The Value of Money in Colonial America (see <http://www.learnnc.org><http://www.learnnc.org/lp/editions/nchist-colonial/1646>)”), but in the 1760s the problem became much worse. To make up for the lack of gold and silver coin, the colonies had been printing paper money. But the Currency Act, passed by Parliament in 1764, prohibited colonial governments from printing paper money.

According to one estimate, by 1768, there was only five shillings in circulation in North Carolina for every inhabitant — less than the annual poll tax! (For comparison, according to a 1725 probate inventory (see <http://www.learnnc.org><http://www.learnnc.org/lp/editions/nchist-colonial/1643>), 5 shillings would have bought 20 pounds of dried meat, a beehive and bees, 15 pounds of lard, or a pair of knit stockings with two shillings left over.) Money was in even shorter supply in the Piedmont than it was on the coast. In fact, a letter from an Edenton man (see <http://www.learnnc.org><http://research.history.org/DigitalLibrary/VirginiaGazette/VGImagePopup.cfm?ID=2128&Res=HI&CFID=830532&CFTOKEN=83419209>) in the *Virginia Gazette* said that “The greatest grievance complained of” by the Regulators was “the want [lack] of paper currency, or some medium to answer the trade of the country.”

4. If a man could not pay his debts, the sheriff could *distrain* his property, seize it and sell it for payment of his debt.
5. North Carolina did not have a professional army. Instead, the colony had a *militia* made up of armed citizens who could be called out in time of danger. By law, adult white men were required to serve in the militia, and the militia *mustered*, or gathered for training, on a regular schedule. A general muster included everyone in the county, while a private muster was of a single, local company. Anyone not appearing at muster could be fined.

Poor farmers could not afford to lose time away from the work of their farms, which is why Husband is saying the burden of militia service was unfair. And, as Husband explains, these musters were not always especially productive. The officers might not take their duty seriously, but might instead use the muster as a time to socialize with friends — which made the poor men stuck out in the cold and rain especially angry.

6. North Carolina did not pay workers to build roads. Instead, citizens could be called out to work on roadbuilding, just as they were called to militia service. (This practice actually was a holdover from feudal England.) In practice, this didn’t happen very often, and North Carolina didn’t have many roads.

7. *Ordinary keepers* were innkeepers. In the eighteenth century and earlier, *ordinary* was used to mean *ordinary* or daily fare — that is, regular meals. The term also came to refer to inns or taverns where regular meals could be obtained for a fixed price.
8. In the British Army, soldiers could be “tied neck and heels” (see <http://www.learnnc.orghttp://books.google.com/books?id=qKEgAAAAMAAJ&pg=PA370&lpg=PA370&dq=tied+neck+and+heels&source=web&ots=coN2oEX>) as punishment — have their neck and heels tied together for a period of time. Typically the punishment lasted for half an hour to an hour, but it could be repeated on consecutive days.
9. The *wooden mare* was the gallows, the structure from which condemned people were hanged. To “ride the wooden mare” was, of course, to be hanged. (The carpenter’s support we now call a sawhorse was then called a wooden mare, or wooden horse. The gallows presumably took the same name because its supports resembled the structure of a sawhorse.)
10. That is, reject them, and refuse to vote for them.
11. Men who “depend on favour for a living” are men who depend on friendship with other powerful men. In the eighteenth century, a truly free man was considered one who did not depend on anyone else for his living. Lawyers and officials who worked for other people, Husband is saying, can’t be trusted to work for the public good — they will be more likely to work for the good of the people whose favor they need.

Men who depend “on the perplexity of the laws” — that is, on the laws being perplexing or confusing to ordinary people — are, of course, lawyers. Obviously, the more complicated the law is, the more help people will need dealing with laws and courts. According to Husband, lawyers have an incentive to make the law unnecessarily complicated, which hurts the poor.

12. Or, as we would say today, if you don’t vote, you can’t complain about the results.
13. In the eighteenth century, elections were held at the county courthouse, and men cast their ballots in the open. Supporters of various candidates often gave out rum or hard cider, and fistfights and drunkenness were sometimes reported. As a devout Christian and former Quaker, Husband spoke out several times against drunkenness. Here, when he says “let your elections be of no expence to [the candidates],” he is saying not to take bribes — in the form of alcohol or anything else.