

From the Archives

Vesa Nelson

The Regulators

In the early growth of the frontier into what eventually became the United States of America, the development of an essentially hunter-gatherer-barter society into an agricultural one depended on many factors, not the least of which were settlers and farmers willing to act as a buffer between "civilization" and the wilderness beyond. As an emerging plantation culture began to replace the wilderness economy, it also began to swallow up land in the low-country; small farmers began to move into the pine barrens and sand hills of the upper Piedmont and even began to cross the Blue Ridge Mountains into Cherokee Indian country. The new frontier was not as friendly and rewarding towards labor as expected.

Law enforcement and governmental defense services such as courts, sheriffs, constabulary, and military protection were monopolized by the planter class of the seaboard in the 1760s Royal Proprietary Colony of Carolina, thus limiting their effectiveness for more adventurous farmers. Crown policy prevented the expansion of representation to include

the up-country settlers. It also denied the creation of new parishes which could provide much needed services. Predictably, a flat tax on acreage - without regard to its value - and with generous loopholes for planters, placed an inequitable burden on backcountry settlers.

Meanwhile, the governing body in Charleston feared slave rebellion and the slightly remote possibility that the slaves might make an alliance with the Cherokees. For these rea-



sons, the militia was kept close to seaboard civilization. Sheriffs and the constabulary maintained 'order' - enforced a curfew for slaves and monitored the legitimacy of their errands in town - in addition to enforcing writs arising from commercial disputes, etc. Backcountry settlers who had land claims to file, boundary disputes, commercial disputes and criminal allegations to settle had to make a journey to the courts in Charleston taking a mini-

mum of six days.

Backcountry settlers were despised yet needed strategically. *Despised*, for lacking a civilized "style of living"; *needed*, as a buffer between the Cherokee Nation and the slaves. In fact, the first years of the 1760s saw a war with the Cherokees that nearly destroyed the Royal Proprietary and exacerbated the tension between the backcountry and the seaboard.

Militia veterans suffering from what we today call post-traumatic stress syndrome moved into the backcountry. So did deserters. They joined with others alienated from current social institutions. Contemporaries described these others as ruffians, absconded debtors, small scale planters with few start up resources, idlers, gamblers, and unsavory types from the north.

They applied themselves to any mixture of hunting, squatting, poaching, pilfering, theft of livestock, plundering, or organized horse theft. Many formed their own settlements. Being an outlaw or one of the 'low people' was just a matter of the degree of alienation.

Not only did they enjoy gang connections, but they also had the tacit compliance of innkeepers and trading post operators. They could also count on evading capture by early warn-

ing, or if, captured escaping through collusion with their 'fences' among the innkeepers and

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traders. Toleration lasted until 1766 or thereabouts, when outlaws began resorting to torture and other cruelties routinely during robberies.

Outraged backcountry men organized themselves into unauthorized ranger and militia outfits to restore order. They titled themselves 'Regulators' and took solemn oaths pledging loyalty to one another. At first they succeeded in destroying outlaw settlements, breaking up gangs, taking into custody offenders and handing them over to lawful courts for trial, and punishing minor offenders by lashings.

By then regulators began to move toward excess themselves. With the outlaws driven out of the Proprietary, they began to 'regulate' the public morals (drunkenness, domestic violence, idleness) of ordinary folk.

Soon a counter reaction formed demanding the imprisonment of at least a few of their leaders. But unlike Bacon's and Shays' rebellions they were not quashed militarily. The passage of the Circuit Court Act of 1769 and a Royal Pardon for the Regulators allowed their peaceful dissolution. Regrettably, the Regulators are remembered in standard histories only for their excesses and categorized as the first American vigilante movement. Their original motivations and prompting economic circumstances are generally forgotten.

The Regulators were a foretaste of what was to follow. A separate and unrelated regulator movement formed in the north of the Carolina Proprietary in response to corruption as opposed to non-existent courts and enforcement officials. This backcountry movement established its own alternative courts, constabulary, militia, and representative body. In effect they had defied the Crown and their own Proprietary ruling body. Lord Dunmore, the Royal Governor at the time, said that although the Regulators had been soundly defeated as a movement at the Battle of Alamance, he communicated to the Crown that their boldness forebode ill for Royal rule in America. Indeed, this was to prove all too true.

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