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# Benjamin Hawkins —Indian Agent

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*Benjamin Hawkins*

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## CHAPTER I

# Early Life

**I**N 1737 Philemon Hawkins, twenty-year-old Virginian, moved with his sixteen-year-old bride into North Carolina and settled on Six Pound Creek in Bute County. There the young couple established a home and founded a family destined to play an important role in the history of North Carolina.

Hawkins was born September 28, 1717, on the Chickahominy River near Todd's bridge in Charles City County, Virginia.<sup>1</sup> His background gave him every assurance of an established place in his community; but, motivated by the pioneer spirit, he chose to seek his fortune on the frontier. One of the first settlers on Six Pound Creek, he was energetic and ambitious and, in the words of the family Bible, "The great Creator blessed him with a great share of health and wealth. . . ."<sup>2</sup> Delia, his wife, was a daughter of Zachariah Martin, also a Virginian of planter stock.

Among their early enterprises was the building of a grist mill, for years the only one in the sparsely settled community. Both were generous and neighborly, Mrs. Hawkins, especially, being kind to the poor and a benefactor to her less fortunate neighbors. When the poorest of the settlers came to the mill with their scanty yield of corn, instead of taking toll from them, she added to their supply from her husband's

1. John D. Hawkins, *Oration Commemorative of Col. Philemon Hawkins*; John H. Wheeler, *Historical Sketches of North Carolina*, 426. Wheeler says Hawkins was born in Gloucester County.
2. From an entry in the Hawkins family Bible. A copy of the entries from which this is taken is in North Carolina Historical Commission Library, Raleigh.

cribs and ground all into meal without charge. Despite such unbusinesslike conduct, "the great Creator of us all blessed her with a great share of health and wealth and she lived [until August 20, 1794] to be 73 years of age."<sup>3</sup>

Elkanah Watson has left an interesting account of this unusual woman. Journeying to Warrenton in 1786 he was introduced to Benjamin Hawkins and invited to Pleasant Hill where the latter lived with his parents. Shortly before the introduction Watson had his attention called to a very obese but extremely active woman working at the election polls, though the identity of the lady had not been revealed to him. Later, in amusement, he called Hawkins's attention to her with subsequent embarrassing results. He tells of his arrival at Pleasant Hill:

Col. H. met me cordially, and I was immediately introduced to the lady as his mother. My embarrassment and mortification was evident: but I was most relieved by her kindness and affability from my awkward position. I at once formed one of the members of the family and passed in it several of the most agreeable days. I never met a more sensible, spirited old lady. She was a great politician, and I was assured she had more political influence, and exerted it with greater effect than any man in the county.<sup>4</sup>

William E. Dodd wrote of Philemon Hawkins and his neighbors: "They were good, loyal subjects of King George, rather disposed to follow his Majesty's governors than the eastern oligarchy then so potent in North Carolina affairs. Hawkins actually rose to some rank as an official under Tryon, the best hated of all our English governors."<sup>5</sup> He bore the military title of Colonel, probably as a result of his acting as chief aide to Governor Tryon in the Battle of Alamance.<sup>6</sup>

3. *Ibid.*

4. Winslow C. Watson, editor, *Men and Times of the Revolution, or Memoirs of Elkanah Watson*, 251.

5. William E. Dodd, *The Life of Nathaniel Macon*, 10.

6. Wheeler, *Sketches*, 426.

Colonel and Mrs. Hawkins were the parents of four sons and two daughters: Colonel Joseph Hawkins, an officer in the Continental service, who died in 1783; Colonel John Hawkins, the father of five sons, two of whom became generals in the militia, four of whom served in the North Carolina Assembly, and one who served for many years in Congress; Colonel Philemon Hawkins, Jr., father of seven sons, six of whom graduated from the University of North Carolina, and five daughters; Colonel Benjamin Hawkins, the subject of this work; Delia, who married L. Bullock; and Ann, who became Mrs. Macajah Thomas.

So respected was the memory of the father of this large and prominent family that on the 112th anniversary of his birth, twenty-eight years after his death, memorial services were held in his honor at the homeplace in Warren (formerly a part of Bute) County. Colonel John D. Hawkins, son of Philemon Hawkins, Jr., delivered the oration. He paid his tribute to the home life of his grandparents as follows:

... and as they travelled on through life, increasing in wealth, they also increased in respectability and refinement, till at length their house—this house—was the resort of the fashionable and the gay, the men of business and the literati of the country. All found here a plentiful and elegant, and a sumptuous repast. Although Colonel Philemon Hawkins was not himself a man of science, his sons Benjamin and Joseph were, and they lived there with their parents, and added zest to all that was agreeable. The style and fashion of the place was noted and exemplary, and the resort to it from many parts of the world considerable. During the French Revolution in 1793, there were many men of note from France, who resorted here to enjoy the great pleasure of conversing in their own language, which Col. Benjamin Hawkins, from his classical knowledge of it, was able to afford them.<sup>7</sup>

Other witnesses support this account, which might otherwise be thought exaggerated. Elkanah Watson in recounting

7. John D. Hawkins, *loc. cit.*, 9.

his pleasant visit in this house spoke of "social convivialities," deer hunting and other amusements.<sup>8</sup>

Benjamin Hawkins was born on August 15, 1754, in the old home on the north side of the highway about three miles from the Bute County courthouse.<sup>9</sup> Nearly five miles on the opposite side of the courthouse lived Gideon Macon, father of Nathaniel Macon.<sup>10</sup> By the time of the birth of Benjamin, his father, like Gideon Macon and the other planters, was growing tobacco with some success. A road had been opened for the purpose of carrying this staple to market at Petersburg, Virginia, and once a year the Bute County tobacco crop was transported to the marketplace. The journey to Petersburg afforded the Hawkins brothers and their friends, John and Nathaniel Macon, an occasional adventure and fired their ambition to see more of the world.

Gideon Macon and Philemon Hawkins were the two leading citizens of the section. The home of the former was the first in the county to have glass windows instead of heavy wooden shutters, but Hawkins seems to have been the wealthier of the two neighbors, though even his wealth was relatively small in comparison to that of the not-too-distant Virginia planters. As late as 1760 the leading families in Bute owned less than a thousand acres of land and few had more than twenty slaves.<sup>11</sup> Nevertheless, as their holdings increased they became conscious of the defects of frontier life and were concerned lest their sons be deprived of the advantages which they, but not the frontier, could afford. Consequently, in 1766, when Benjamin Hawkins was twelve years of age, his father and the widow of Gideon Macon induced Charles Pettigrew to open a school at the courthouse, nearly equidistant between the two estates. This young pedagogue, later to become a bishop in the Protestant Episcopal Church of

8. Watson, *op. cit.*, 251.

9. The name of the county was changed to Warren in 1779.

10. Joseph Blount Cheshire, *Sketches of Church History in North Carolina*, 228; Dodd, *op. cit.*, 2.

11. Dodd, *op. cit.*, 3.

North Carolina, had a great influence on at least four of his pupils, leading them to seek further knowledge at the College of New Jersey at Princeton. Pettigrew boarded with the Hawkins family and many years later in a letter to Benjamin Hawkins, then an Indian agent on the Georgia frontier, spoke of the pleasant evenings in this hospitable home and of the walks to school with Benjamin and his brother Joseph.<sup>12</sup>

When this first school had suspended, Benjamin and Joseph went with John and Nathaniel Macon to Princeton. Here the Hawkins brothers were in the final year when the American Revolution brought an end to the work of the college. Dr. James Witherspoon, famous and beloved president of the college at the time, tells of the termination of Benjamin's academic career. As the British advanced, students and faculty fled the town. On January 8, 1777, Dr. Witherspoon wrote to his son, David, about the flight. "We carried nothing away of all our effects, but what could be carried upon one team. Benjamin Hawkins drove your mother in the old chair, and I rode the sorrel mare and made John Graham drive the four young colts."<sup>13</sup> The fact that Dr. Witherspoon had confidence in Benjamin and the many references to his ability to read French with ease argue that he was a diligent and accomplished student who profited by his educational experiences.

There is a persistent belief, stated in practically every sketch of Benjamin Hawkins, that he and Joseph entered the Continental forces as soon as they left the classroom. Equally persistent is the opinion that because of Benjamin's proficiency in French he was recommended by Dr. Witherspoon to General Washington and was added to the staff of the Commander-in-Chief as an interpreter.<sup>14</sup> Authentic records are silent, but the persistence of the latter belief in the minds of writers, coupled with the fact that Dr. Witherspoon

12. Cheshire, *op. cit.*, 227-228.

13. *The Christian Advocate*, II (1824), 443; *Journal of American History*, V, 51 note.

14. Dodd, *op. cit.*, 10; Wheeler, *Sketches*, 427.

advised his son David to be diligent in the study of French so that he might aid the American cause by reading letters from and conversing with French officers, makes it the more probable.<sup>15</sup>

John Macon, who had left Princeton for Continental service, returned from Valley Forge in 1778 because of a superabundance of officers. "Benjamin Hawkins, too, was living quietly at home since March or April 1778—more than likely he had returned with John Macon and for similar reasons."<sup>16</sup>

Though the Hawkins family was never strongly democratic, having adopted an aristocratic political philosophy in spite of a frontier abode, its members were extremely loyal to the interests of North Carolina and the other states when the break with England came. This was especially true of Benjamin. Whatever the character of his Continental service and whatever the cause of his return home might have been, he did not long remain idle when work in behalf of his state was to be done. Only twenty-four years of age, with no public record behind him, Hawkins's patriotism and ability were recognized when the Assembly of North Carolina in 1778 named him one of the commissioners to receive, sign, and pay to the public treasurers eight hundred and fifty thousand pounds in bills of credit "for discharging the debts incurred by this state in raising men to Reinforce the Battalions belonging to this state in the Continental Army. . . ."<sup>17</sup>

The service of Hawkins in this capacity was satisfactory and he was subsequently named Commercial Agent for the

15. *The Christian Advocate*, II, 443.

16. Dodd, *op. cit.*, 22; cf. Wheeler, *Sketches*, 427, who says Benjamin Hawkins was with Washington at Monmouth, June 28, 1778, and after that time. Practically no letters written by Hawkins before 1780 have been found. The perusal of several hundred written to and by him after that date has failed to reveal any mention of his services in the Continental forces in any capacity. On the other hand, the cordial relationship between him and General Washington is difficult to explain in any other way.

17. *North Carolina State Records*, XXIV, 184. Hereafter to be cited as *N.C.S.R.*

state.<sup>18</sup> In this new position he was instructed to purchase two hundred hogsheads of good tobacco to be shipped abroad, and to proceed as early as possible to France, Spain, Holland, or any other foreign port to purchase supplies of war.

In September, 1779, Governor Caswell laid before the Council of State a letter from Hawkins informing the executive that the Commercial Agent was about to depart for the West Indies and that he "desired to know" what he might barter for salt and to what extent he might pledge the faith and credit of the state.<sup>19</sup> He was authorized to barter one thousand barrels of pork and to borrow 20,000 pounds.<sup>20</sup>

Upon receipt of this authorization Hawkins acted with energy. He purchased on behalf of North Carolina 200,000 pounds of tobacco and chartered a vessel to transport 80,000 pounds to the island of St. Eustatius. Unable to secure vessels for the remainder he was empowered in November to dispose of the surplus at his discretion and to contract in any foreign port for pork not exceeding one thousand barrels.<sup>21</sup>

Sometime within the next three months Hawkins made the trip to the West Indies and informed Governor Caswell from Bath in February, 1780, of his return and the results of his foreign journey as Commercial Agent. Contrary to expectations, he found it impossible to barter tobacco and pork for salt except at severe losses, as the West Indian merchants, realizing the need for salt on the continent, were attempting to profiteer in this commodity. Extensive shipping of tobacco had glutted the market in this staple and, to make matters worse, he could not procure anything on the faith of the state. The price of tobacco was so low in the West Indies that Hawkins reshipped his cargo to Europe in Dutch bottoms and secured an advance payment with which he purchased six hundred stand of arms. On his per-

18. *Ibid.*, XIII, 605-606.

19. *Ibid.*, XXII, 910.

20. *Ibid.*, XIV, 204.

21. *Ibid.*, XIII, 889.

sonal credit he bought eight hundred and seventy-eight other muskets and loaded them at Edenton and Washington, North Carolina. The arms were of good quality and Hawkins arranged to purchase three thousand more and one thousand suits of clothing provided North Carolina could manage to pay for them. He also suggested that state-owned ships would be cheaper for transporting these supplies and munitions because of the exorbitant prevailing war rates, and he asked for authority to draw on the state for the purchase of vessels.<sup>22</sup>

As indicated by this report, the first official duties of Benjamin Hawkins were performed with efficiency and with some degree of success. The failure to carry out his mission to complete success was due to the unstable finances of North Carolina rather than to any lack of initiative on his part.

While performing his duties as Commercial Agent, young Hawkins had opportunity to acquaint himself with the events of the war. In a letter written to Governor Caswell on his return from St. Eustatius, he reported the seizure of a Continental brigantine at Saley, discussed the probable whereabouts of Count D'Estaing, the exploits of John Paul Jones, the possibility of the Dutch joining the English, and the promise of mediation on the part of the King of Prussia and the Empress of Russia. He apologized for the imperfections of his letter, but it showed a grasp of the situation and an ability for analysis and interpretation unusual in one of his years, and extraordinary under the existing conditions of communication.<sup>23</sup>

In 1780 a Board of Commissioners composed of Richard Caswell, Robert Bignall, and Benjamin Hawkins was appointed to carry on trade. This board was empowered to purchase, build, or charter vessels for procuring military stores for the state.<sup>24</sup> Hawkins continued, however, to act on his own initiative and with the same freedom as under his former

22. *Ibid.*, XV, 337-339.

23. *Ibid.*

24. *Ibid.*, XXIV, 322; see page 8, note 22, for probable origin of this idea.

commission. The other members of the Board seemed willing to permit him to perform the duties in his own way.

Hawkins made no further voyages to foreign ports but continued to collect supplies in North Carolina. Governor Nash, who had succeeded Caswell, depended on him in addition for military information.<sup>25</sup> In June, 1780, he reported to Nash the condition of the troops in the Wilmington region, the seizure of arms there on his own responsibility, and his orders commandeering supplies, wagons, and livestock. Several officers mentioned in this letter as taking orders from Hawkins were of the rank of colonel.<sup>26</sup>

While acting in his capacity as a commissioner of the Board of Trade, Hawkins was bonded at one million pounds, and by July, 1780, had obtained warrants on the state treasury to the amount of 600,000 pounds.<sup>27</sup>

Next to munitions, salt continued to be the principal commodity Hawkins was ordered to procure. In November he reported that there were one thousand bushels of salt at Wilmington, but he ordered in addition two hundred bushels of "good alum salt" to be delivered there.<sup>28</sup> A month later the Board of War instructed him to concentrate his efforts on securing more to fill a need for four thousand bushels. He was authorized at that time to appoint agents, to seize salt if necessary, and to arrest all persons found speculating in this much needed commodity.<sup>29</sup>

Considerable sums of money continued to pass through his hands, and transactions involving large amounts were often closed simply on his orders, or even upon his personal

25. Wheeler, *Sketches*, 427, says he was aide-de-camp to the Governor. This seems entirely probable and it is possible that he secured the title "Colonel," which he bore the remainder of his life, in this manner rather than from any war service in the Continental forces.

26. *N.C.S.R.*, XIV, 839-840.

27. *Governors' Papers*, State Series VI, North Carolina Historical Commission Library.

28. *N.C.S.R.*, XV, 374.

29. *Ibid.*, XIV, 476.

credit. He wrote to Thomas Burke in November that he had paid out \$27,573 two days before and had procured \$6,000 for Burke. He also reported sending horses to Virginia.<sup>30</sup> In June, 1780, James Speed of Edenton district was commissioned to buy corn on Hawkins's order.<sup>31</sup> In August, Henry Young accounted to Governor Nash for the expenditure of 20,000 pounds advanced him by Hawkins for public use.<sup>32</sup> The next month Colonel Joseph Leach reported receipt of 700,000 pounds for one of Hawkins's warrants.<sup>33</sup> Even under inflationary conditions these were considerable sums for a young man of twenty-six to be negotiating, often on his personal responsibility.

When the news of the defeat of the American forces at Camden reached Hawkins he was convalescing from an illness; nevertheless, he took a census of all the wagons in his county and requested each of the principal farmers to furnish teams and vehicles to replace the baggage trains lost in the battle. "I believe we are all Whigs, and I hope we shall not complain at complying with any such requisition for the good of our country should it be greatly more than our proportion. I am impatient to be well, and anxious for to be doing what I can for the common good."<sup>34</sup>

The year of Hawkins's greatest contribution to the winning of independence and his greatest activity as Commercial Agent was 1780; however, in November, 1781, he was buying tobacco in order to pay for cannon he had previously purchased.

Despite large expenditures and the impossibility, under the conditions, of keeping accurate records and correct accounts, no question was raised officially as to the honesty

30. *Ibid.*, XV, 374.

31. *Ibid.*, XIV, 863.

32. *Ibid.*, XV, 23.

33. *Ibid.*, 67. These sums were unquestionably in depreciated Continental or state currency.

34. *Ibid.*, 63-64, letters to Governor Nash, August 24, 1780. This is the first mention in Hawkins's letters of the ill health which continued to plague him at intervals until his death.

of the young agent or the faithful execution of his trust. However, in 1790, the executor of the estate of John Wright Stanly entered suit against Hawkins personally for losses sustained as a result of public purchases from Stanly in June, 1780. The defendant was found by the court not to be personally liable for contracts entered into in his official capacity and no further litigation ensued.<sup>35</sup>

In the midst of official duties Hawkins found time to attend to some of the private interests of his friend, Governor Nash. He wrote the Governor in June, 1780: "Application has been made to me to load your schooner with provisions and send her to Hispaniola. The owners are desirous of doing it as being most advantageous to them. If I bargain with them, I shall bargain for you in the same manner as tho' I was the owner."<sup>36</sup> A short time later he informed Nash that he had collected his deeds to some Roanoke lands.<sup>37</sup>

The training of Benjamin Hawkins, his ability, and the prominence of his family in the northern part of the state, all tended to draw him into politics. It was, however, the manner in which he had executed his trust during the Revolution that inspired in his neighbors a confidence which led them to select him for important local and state offices with no solicitation on his part, despite frequent absences from his county and state as a delegate to Congress.

By an Act of the Legislature of 1784 he was commissioned to sell all public granaries in Warren County which cessation of hostilities had made useless.<sup>38</sup> In the same year by "An Act for Extending the Navigation of the Roanoke River" he was named one of the trustees for clearing those portions of the Roanoke and Don rivers within North Carolina.<sup>39</sup> Upon his return from Congress in 1784 he was elected to represent

35. Martin, *et. al.*, editors, *North Carolina Reports*, I, 52-53.

36. *N.C.S.R.*, XIV, 863-864.

37. *Ibid.*, XV, 64.

38. *Ibid.*, XXIV, 626.

39. *Ibid.*, 600.

his county in the Assembly,<sup>40</sup> and was elected again in 1788 after further service in Congress.<sup>41</sup>

An activity which engaged Hawkins often in his later life was that of running boundary lines. His first experience in this work came when he was named a commissioner to run the line when a part of Granville County was annexed to Warren in 1787.<sup>42</sup>

Following the war there were signs of an educational renaissance in North Carolina and an insistence by public spirited citizens on better educational facilities for the state. "The men who insisted on this increase in the facilities for education were the graduates of the good old Presbyterian College of New Jersey . . . ."<sup>43</sup> When an act was passed in 1786 to erect an academy in Warrenton, Benjamin Hawkins, several of his kinsmen, and Nathaniel Macon were made members of the Board of Trustees.<sup>44</sup> The greatest recognition of, and testimonial to, the interest of Hawkins in education came when by an act passed in 1789 he was named one of the original trustees of the proposed University of North Carolina.<sup>45</sup> Prior to this honor at the age of thirty-five, he had served his state long and well as a delegate to Congress and the United States with distinction as a member of Indian treaty commissions. A useful public life among friends and equals, a life of comfort and culture, seemed his for the choosing.

40. *Madison Papers*, V, 22. Library of Congress.

41. *N.C.S.R.* XII, 655.

42. *Ibid.*, 866.

43. *Dodd, op. cit.*, 53.

44. *N.C.S.R.*, XXIV, 863.

45. *Ibid.*, XXV, 22.

## In Continental Congress

HAWKINS'S success as Commercial Agent attracted favorable attention from the General Assembly. In July, 1781, as the war was drawing to a close, he was elected to serve as a delegate to Congress. He was subsequently re-elected for a total of five terms and attended four sessions, having declined to serve in 1788 and retiring the following year in favor of his friend Hugh Williamson.

William E. Dodd said of his first election: "Benjamin Hawkins, who was leaning more and more toward the Conservatives, was . . . chosen a delegate to Congress. This indicates the change of sentiment which began [in North Carolina] about this time."<sup>1</sup> He was elected by a large majority of the votes of both Houses of the General Assembly, and Samuel Johnston, William Sharpe, and Ephraim Brevard were chosen as his colleagues.<sup>2</sup>

The North Carolina delegation reached Philadelphia in October, 1781, and Hawkins remained until late April or May, 1782. A part of this time he attended alone. In December, 1781, Governor Martin addressed the Council of State: "The representation of this State in Congress is an object of the first consequence at this crisis, which at present it is deprived of by the death of Mr. Brevard and the resignation of Messrs. Johnston and Sharpe, Mr. Hawkins attending alone without an assistant."<sup>3</sup>

Throughout his first term Hawkins served his state faith-

1. *Dodd, op. cit.*, 35.

2. *N.C.S.R.*, XVII, 975.

3. *Ibid.*, XIX, 876.



fully and creditably but without outstanding distinction. He was four times a member of the committee of the week and once chairman of that body. Shortly after his arrival he received his first appointment to a special committee to examine the report of the Board of Treasury. In February, 1782, he became a member of the committee on finance for the settlement of public accounts. The report of this committee recommending measures for paying the war expense obligations was approved.<sup>4</sup>

The committee of states, of which he had become a member, resolved in February, 1782, "That Congress approve the establishment of a mint . . ." <sup>5</sup> He was also on the committee which in March reported favorably on the admission of Vermont as a state.<sup>6</sup> When this report had been voted down, Hawkins voted against a resolution to send a commissioner to "enforce upon the inhabitants . . . the necessity of their . . . submitting themselves to the jurisdiction of the States of New Hampshire and New York . . ." <sup>7</sup>

The committee record of Hawkins in his first session is not enlightening. The same may be said of his voting. His first recorded vote, twelve days after his arrival at Philadelphia, seems to have been entirely sectional as North Carolina, South Carolina, Georgia, and Virginia voted down a resolution to hear claims of land companies adverse to the claims of certain states.<sup>8</sup> Later in the session he voted with the same Southern states, plus Maryland, to confiscate all British goods within twelve leagues of the coast. This motion was lost.<sup>9</sup>

North Carolina was frequently deprived of a vote during the 1781-82 session because Hawkins alone represented the state, but he did not neglect her interests. In November, 1781,

4. *Journals of the Continental Congress, 1774-1789, XXII, 83.*

5. *Ibid.*, 87.

6. *Ibid.*, 105.

he introduced a resolution for the Board of War to deliver 1,000 muskets, 2,000 cartridge boxes, 20,000 cartridges, 6,000 gun flints, and 1,000 musket balls from the stores lately taken from the enemy in Virginia to the delegates of North Carolina.<sup>10</sup> The success of this resolution is attested to in a letter to Abner Nash written two weeks later.

I have obtained from Congress for our State one thousand stand of arms, in addition to the thousand furnished by the commander in chief, to be delivered immediately to our [or]der at Richmond with Cartridge boxes, Flints, Cartridges, powder & musket Ball, in proportion to the muskets, tho I hope by this [time] you do not need them, as I expect the post at Wilmington will be this month reduced or evacuated, and the enemy be pent up at Charleston . . . until we shall be able to reduce them.<sup>11</sup>

Although his work in Congress was obviously not without success, Hawkins wished to return home. He requested Nash to come to Congress so that he might leave, though he was drawing his monthly pay of \$150.00 with regularity and continued to do so through March, in contrast to later periods of service when he was often reduced to want because of failure to receive his pay.

The exact date of his return from this session is unknown. Since he was consulted by Robert Morris, Superintendent of Finance, late in April and was placed on a committee on April 28, his re-election evidently took place while he was en route as, on May 3, Abner Nash, Hugh Williamson, Benjamin Hawkins, and William Blount were elected to Congress for a year.<sup>12</sup>

After a stay of several months at home, Hawkins returned to Philadelphia in December, 1782, and remained there continuously in attendance on Congress for a year, having been

10. *Ibid.*, 1126.

11. Edmund C. Burnett, editor, *Letters of Members of the Continental Congress, XXIV, 37-38.*

12. *Ibid.*, XVI, 93; *Journals of Continental Congress, XXIV, 11-12.*

ected for the third time in the spring.<sup>13</sup> After taking his seat he showed independence by occasionally voting in opposition to his colleagues Williamson and Blount.

William Blount's stay in Congress at this time was very brief. He returned home and resigned. Abner Nash and Richard Dobbs Spaight were elected in April, 1783, to serve with Hawkins and Williamson,<sup>14</sup> but they did not attend. North Carolina was represented throughout the year by only Williamson and Hawkins, and they, disagreeing often, nullified the vote of the state by dividing it.

Hawkins remained in Philadelphia through a sense of duty and at some sacrifice, often completely without funds. He wrote for money in June, 1783,<sup>15</sup> and again in September he addressed Governor Martin:

I observed to you that I should have no objections to be put in the present delegation & to continue at Congress till the Gentlemen appointed [Nash and Spaight] should be able to come forward with conveniency to themselves. I did not then expect that I should be obliged to continue so long as I must necessarily be, and above all, without any support from the State.

I have for sometime been absolutely without as much money as will support me one day except what I can borrow and perhaps not be able to repay. Surely it can never comport with the dignity of a sovereign State, to let their delegates depend on such humiliating & precarious means for support. How long we could be supported in our own State on a resolution allowing us two hundred dollars p. month, without the money I know not; but of this we are certain no money can be raised here on such security.<sup>16</sup>

No immediate relief came through and in October the two delegates in a joint letter to the governor complained:

Our situation begins to be very disagreeable; we are now and have been for some time without one shilling of money,

13. *N.C.S.R.*, XVI, 783.

14. *Ibid.*, XIX, 269.

15. *Ibid.*, XVI, 837; Burnett, *op. cit.*, VII, 198.

16. *N.C.S.R.*, XVI, 894. Hawkins to Martin, Sept. 27, 1783.

and the prospects formerly held out to us have vanished; our colleagues are not yet arrived, and we know not when to expect them. The Treasurers of all the States in the Union except North Carolina regularly send forward monthly the Salary of their Delegates; we depend on borrowing for our decent support, and fear very shortly that our credit will be like our remittance from our State. How far this will comport with the dignity of a Sovereign State we leave the Chief Magistrate to judge.<sup>17</sup>

The inadequacy of the records of the Continental Congress and the absence of recorded debates make inferences as to a delegate's service, and generalizations thereon, of doubtful validity. However, certain glimmers of light may be revealed by a study of committee assignments, reports, and votes on the commitment of resolutions.

During his second term, Hawkins served more frequently on committees and, in general, on more important ones. He was a member of a grand committee appointed in January, 1783, to devise and report the most effective method of estimating the value of lands in the United States for determining the quotas of the states.<sup>18</sup> In August a committee report in Hawkins's handwriting recommended that Thomas Paine be appointed "Historiographer of the United States."<sup>19</sup>

Perhaps his most important assignment was to the committee which reported on July 28. The legislature of Maryland had directed the Intendant of Revenue to give five months' pay to the soldiers of that state in the army of the United States without the sanction of any act of Congress. In so doing Maryland had revoked an act appropriating the revenue of a particular tax levied to pay requisitions of Congress. The Superintendent of Finances of the United States had remonstrated at the tendency of the act to "subvert the foundations of the public credit." The committee appointed to consider the case was composed of Hawkins, James Duane, and

17. *Ibid.*, 905.

18. *Journals of Continental Congress*, XXIV, 114 note.

19. *Ibid.*, XXIV, 512.

James Madison as chairman. Its report, written by Hawkins, follows in part:

If acts of Congress most essential to the common interest . . . may be defeated by the interference of individual legislature; if actual grants and appropriations as the Quota due from a State towards the pressing burthens of the public may be revoked . . . vain must be every attempt to maintain a national character or national credit. . . .

Resolve, That the legislature of the State of Maryland be called upon to take into their serious consideration the pernicious tendency of the measure complained of by the Superintendent of Finances.

That the State of Maryland be therefore earnestly required to pay into the public treasury the Quota so appropriated for the use of the United States by their Legislature. . . .<sup>20</sup>

The wording of this resolution shows definitely that as early as 1783 Hawkins was conscious of the defects of the Articles of Confederation as a constitution and presages his attitude toward the Constitution of 1787.

During this period he was frequently placed on committees dealing with Indian affairs and the West, and he demonstrated the ability and qualifications which led to his later choice for a life of service among the red tribes on the Georgia frontier.

Throughout the year 1783 he and Williamson worked together cordially, but a study of the votes cast indicates that each voted his own convictions. In February Hawkins's vote of "no" nullified Williamson's vote, and that of North Carolina, on a resolution which carried by the affirmative vote of seven states to none. The resolution, prepared by James Madison, provided:

That it is the opinion of Congress that the establishment of permanent and adequate funds on taxes or duties, which shall operate generally throughout the United States are indispensably necessary towards doing complete justice to the

20. *Ibid.*, 454-455.

public creditors, for restoring public credit and for providing for the future exigencies of war.<sup>21</sup>

Hawkins's vote on this resolution would seem to deny his conservatism and is inconsistent with former votes. In April, however, he voted with the affirmative majority on a resolution recommending to the states that Congress be empowered to levy a tariff on imported goods "as indispensably necessary to the restoration of public credit, and to the punctual and honorable discharge of the public debts . . . ." <sup>22</sup> It is of interest to note that only Rhode Island voted against this early attempt to levy a tariff in Congress, though the vote of New York was nullified by the negative vote of Alexander Hamilton.

On a resolution introduced by James Wilson, of Pennsylvania, and seconded by Alexander Hamilton, to open the doors of Congress during debate, Hawkins voted negatively. His conservatism and respect for authority seemed to commit him to a denial of the principle of freedom of the press when he and Hugh Williamson voted affirmatively with Jacob Read of South Carolina, who introduced the motion to require David C. Claypole, printer of the *Philadelphia Packet*, to reveal by what means a copy of a letter signed by Sir Guy Carleton directed to Elias Boudinot came into his possession. Only two votes were cast in the affirmative, those of North Carolina and Virginia.<sup>23</sup>

When the question of a permanent capital came up for consideration in Congress, the delegation of North Carolina, like those of other states, voted first for the interest of its state and then for sectional compromise. In separate resolutions every state was voted on. Hawkins and Williamson voted "aye" only for North Carolina and Maryland. The attempt to agree upon a state by this method failed, as was expected. On the compromise motion to locate on the Delaware or

21. *Ibid.*, 127.

22. *Ibid.*, 261.

23. *Ibid.*, XXV, 540.

the Potomac both North Carolinians voted "aye," but they split on the addition of the Hudson, Hawkins voting negatively. Both opposed elimination of the Potomac, but agreed later to another substitute calling for two capitals, one at or near Georgetown, the other at or near Annapolis.<sup>24</sup>

In October it was finally agreed to move the capital to the lower falls of the Potomac, and Hawkins was appointed chairman of a committee to visit the location and report the proper district for erecting public buildings.<sup>25</sup> A few days after this agreement the North Carolina delegates in a joint letter to Governor Martin explained their votes on the location of the capital and frankly admitted they were influenced by sectional interests.\*

You will readily believe that we contended with zeal for fixing Congress on the waters of Chesapeake Bay. . . . We urged that the center of the United States, if length be considered, is as far South as Georgetown, but when the breadth is considered, the center is 100 miles to the Southward of Georgetown. That a wise government should look forward to the numerous States that are fast rising out of the Western Territory. . . . That our dignity and duration would depend on our regard to Justice and equality. . . . We need hardly inform you that our zeal on this occasion was excited by additional arguments which we did not detail viz, the honor and prosperity of the Southern States.<sup>26</sup>

After the mutiny of the soldiers in Philadelphia in the summer of 1783, Hawkins and Williamson explained in another long letter to Governor Martin their agreement to the removal of the capital to Princeton:

On the whole we flatter ourselves your Excellency will think with us, that the respect we owe to the Sovereign State we have the honor to represent, required that we should

\*The location of the capital came up again when Hawkins was a member of the Senate. For his votes on this matter in 1790 see chapter IV.

24. *Ibid.*, 649-654, 670.

25. *Ibid.*, 770.

26. Burnett, *op. cit.*, VII, 354; N.C.S.R., XVI, 908.

leave a city in which protection was expressly refused us, even though there had not been other motives more closely connected with the public safety.<sup>27</sup>

Both delegates placed the blame for the difficulties of Congress squarely on the states and used the removal to Princeton as argument for a stronger central government and an adequate public treasury as the means toward restoring national honor and safety.

From your general acquaintance with Civil History you must have observed that the cases are numerous in which armies have overturned the liberties of a nation whom they had been hired to defend. More than half of the Empires now on the face of the Earth have been formed, not like ours by the choice of the people, but by the swords of a mutinous or victorious army. We have nothing to fear from the disposition of our army, provided they could have been paid; but we believe there never was an instance of an army being kept together who were so ill paid as ours, much less of their being disbanded without pay.<sup>28</sup>

Naturally a matter of first importance during the session of 1783 was the ratification and execution of the Treaty of Paris as the definitive end of the Revolution. When the committee on the treaty reported in May it resolved that the several states be required to remove all obstacles to the execution of articles four and six (providing respectively for the recognition of bona fide debts, and no future confiscation and prosecutions on account of war participation), and seriously to consider conformity to article five (restoration of confiscated property). Every state voted unanimously in support of the resolution with the exception of New York, in which delegation Alexander Hamilton cast the only negative vote.<sup>29</sup> Hawkins favored ratification of the treaty, interested himself in foreign affairs and, with an insight into

27. N.C.S.R., XVI, 852-855.

28. *Ibid.*; Burnett, *op. cit.*, VII, 246-248.

29. *Journals of Continental Congress*, XXIV, 372.

pleasure, but children were terrified at the sight of a strange white man. They had heard the old people tell of raids by the whites and had thus grown up in great fear of pale faces.

On December 5, Hawkins reached the Tallapoosa River, called Aquonausete by the Cherokees, and was in the country of the Upper Creeks. That evening he met the first Creek and was cordially received, his fame having preceded him. He also had his first visual evidence of the hardness of the red man. In a mountainous region of what is today east Alabama, with a December rain falling, one of the guides took off his shirt, spread it on the wet ground, pulled a small, badly-worn blanket over himself and slept soundly through the night. Hawkins slept none too comfortably under a shelter and covered with a blanket, bearskins, and an oilcloth coat. The Cherokees while travelling ate little and used no salt. Wissoetaw, or parched corn meal pounded fine, was their sole ration. A handful mixed in a pint of water made a meal. Hawkins professed a fondness for wissoetaw with a little sugar added.<sup>20</sup>

The agent spoke little of the Creek tongue and had no interpreter, though one of the Cherokee guides could converse slightly in the Creek language. The first house he visited belonged to a chief who had been at Coleraine accompanied by his twelve-year-old daughter. The chief was hunting, but recognition of Hawkins by the daughter assured him of a welcome and he was given a clean hut and provisions. Among the supplies was some sofkey, or saufkee, the Indian name for lye hominy, a staple product among the Creeks. Despite this cordial and generous treatment, Hawkins's first impression was that the Creeks were much poorer than the Cherokees.

The next day he arrived at the village of New York, or New Yaucan, named after the treaty of 1790. Here he found the home of James Sullivan, a trader, and was received courteously by David Hay, the assistant, in Sullivan's absence. Hawkins conversed unsatisfactorily with the Indians

20. *Ibid.*, 26.

in the village, using as his interpreter a Negro woman who was not very intelligent. This was the second time in a little over a week that he had been compelled to use a Negro woman as an interpreter, evidence that some slaves had either been stolen from the whites, or had run away into Indian country. Across the river from New York lived Tuskena Patki, the White Lieutenant, one of the principal Upper Creek chiefs. Though the chief was on the hunt, Hawkins visited his family and found it poorly supplied with food, again in contrast to the well stocked Cherokees.<sup>21</sup>

On reaching the town of the Hillabees, Hawkins found a Scotch trader, Robert Grierson, who had long been in the country and was well established with large holdings of lands, forty slaves, three hundred cattle, and thirty horses. Like most of the traders Grierson had an Indian family. The agent was received hospitably by the old Scot who was superintending the picking and ginning of his cotton for which he anticipated thirty-four cents a pound in the Tennessee market. Influenced by Grierson's example the Hillabee Indians were farming and raising stock, one half-breed owning one hundred and thirty head of cattle and ten horses. There were four villages connected with the Hillabees, and one hundred and seventy warriors belonged to the town.<sup>22</sup>

Grierson's agreement to accompany Hawkins to the important council town of Tookaubatchee was the occasion of Hawkins's issuing his first order. The departure was delayed when two of Grierson's horses were stolen in the night. Stephen Hawkins, another trader, volunteered to seek the thieves and was given authority:

... to take with him such aid as he may deem necessary, and to pursue and apprehend the said offenders, wherever to be found within the agency South of the Ohio. And I do hereby require of the agent of the Cherokees, his assistants and all others in authority to be aiding and assisting in the premises.<sup>23</sup>

21. *Ibid.*, 29.

22. *Ibid.*, 29-30. Near this town Hawkins observed Indian women picking up red oak acorns for making oil which they used as food.

23. *Ibid.*, 32.

ried to Hawkins on January 9, 1812, she was the mother six of his children.<sup>27</sup>

Lavinia was a friend of Edward Price's family, and it is likely that Hawkins met her either at Coleraine or at Fort Wilkinson. A letter from Price to Hawkins, written probably in December, 1798, seems to indicate that she had lived with Hawkins before that time. "Lavinia is with us, sleeps alone and says she cant help feeling her solitary situation these cold nights."<sup>28</sup>

In 1812, Hawkins's chronic ill-health led him to fear that he would not long survive. Accordingly he was married, and his will distributing his estate among six children, a wife, and a nephew was drawn up on the same day.<sup>29</sup> Though the marriage ceremony was long past due, there is every evidence that he was a kind, faithful husband and an affectionate father. The absence of a publicly-spoken and legally-recorded vow did not lessen his feeling of obligation and responsibility toward his wife and children.

Hawkins spent much of his time in removing from Indian lands white men who had come there without proper authority to take advantage of the Indians. His hospitality, however, was well known, and the legitimate traveller was accorded a cordial welcome. Visitors were frequently entertained and transients of any race were assured a cordial reception and excellent fare in abundance. Traders, Indian department officials, and army officers were so frequently

27. *Lewis Lawshe & Others vs. Francis Bacon & Wife*. Suit in the Crawford County Superior court 1834. Papers in Georgia Department Archives and History.

28. Indian Office, Letter Book Fort Coleraine and Fort Hawkins, 1795-1812, 176, in National Archives. Letter not dated but the one following it in the Letter Book is dated December 14, 1798. Hawkins had written Price on October 23, 1797, asking that Price send him some woman to superintend his household as "a long continuance of the fatigue I daily experience would be more than I can bare [sic]." The letter was delivered by a man named Downs who was temporarily in the employ of Hawkins. It is possible that Price carried out the Agent's request by sending him a kinswoman of his messenger. Ms. letter, Indian Office files, National Archives.

29. Hawkins's will filed for probate in the Jones County courthouse. A copy in the Georgia Department of Archives and History.

at the Agency as to cause little comment. The French General Moreau spent some time there in the spring of 1808, and when he left was escorted through the nation toward Charleston by the agent himself.<sup>30</sup>

On October 16, 1810, Ichabod E. Fisk, A. M., native Vermonter, for some years the rector of St. Marys Academy, died in Hawkins's house and was buried on the Agency. Afflicted with an "inflammation of the lungs or stomach," he had arrived in July en route to Mississippi. Hawkins, with his usual hospitality, gave asylum to this kindly, cultured, and ill gentleman and cared for him until his death.<sup>31</sup>

Dr. William Baldwin, prominent citizen of Milledgeville, was thanked by Hawkins in May, 1812, for "having done me the favor to make [himself] one of my family during the spring."<sup>32</sup> Henry Ker wrote that "At night (Feb. 14, 1815) I put up at Colonel Hawkins's where I was well received. This gentleman had a fine plantation . . ." Ker also referred to his host as "the gentleman who so kindly entertained me the preceding night."<sup>33</sup>

William Hawkins, the agent's nephew, lived with him, was accepted as one of the family, was given a child's share of the estate and made joint executor with Lavinia, Benjamin's wife.<sup>34</sup>

There is little in Hawkins's correspondence to indicate his religious philosophy. He certainly did not think of himself as a missionary to the Indians. He often cooperated with certain Quaker societies<sup>35</sup> which were interested in Indian education; but, whatever his religious views, he did not attempt to force them upon the Creeks. He was to them teacher,

30. *Republican & Savannah Evening Ledger*, April 26, 1808.

31. *Georgia Journal*, October 3, 1810.

32. *Ibid.*, August 26, 1812.

33. Henry Ker, *Travels Through the Western Interior of The United States*, 341.

34. Copy of the will of Benjamin Hawkins, Georgia Department of Archives and History. Wheeler records that another nephew, Philemon Hawkins, III, resigned as captain of artillery and came to live on the Agency in 1815. In poor health, he died shortly after his uncle. *Sketches*, 429.

35. Hawkins, *Letters*, 126, 127.

dent this inventory did not represent true value as expensive books were sold for only a small fraction of their replacement cost and household furniture and farm equipment were similarly marked down.<sup>17</sup>

As evidence of the magnitude of Hawkins's farming operations, the inventory listed on the Agency plantation 20 horses, 58 sheep, 59 goats, 81 pigs, and 291 cattle. In addition, he owned another plantation in the vicinity of Fort Hawkins but here his operations were much smaller. The household effects were of little value and the farm stock consisted of one horse, one steer, and 20 cows.<sup>18</sup>

Hawkins left a widow, six daughters, and one son. Lavinia, his widow, entered business partnership with John Buchanan and lost her share of the estate. Georgia, the oldest daughter, died without marrying, as did also Carolina. Both were intestate, and their shares were divided among the other heirs, including Jeffersonia who had not been born when the will was drawn. She was a very small child when her father died and had not participated in the original settlement. Muscogee married Bagnell B. Tiller, who "separated himself from her." Cherokee married Lewis Lawshe. Virginia became Mrs. William Carr, and Jeffersonia married Francis Bacon. The fortune was dissipated, and there resulted many bitter disputes and law suits among the heirs.

On June 6, 1816, Hawkins, still among his Indians, died, and was buried on the Agency. In 1931 a monument to his memory was erected by Congressional appropriation in Roberta, Georgia, about six miles from his grave. At the time of his death many extravagant eulogies were written and uttered by his contemporaries. On June 29, 1816, the following brief notice appeared in *Niles Weekly Register*:

Colonel Benjamin Hawkins—the good, the benevolent and venerable Hawkins, agent for Indian affairs, died at his

17. Inventory October 17, 1816. Ordinary's Office, Jones County, Georgia. File No. 65, Annual Return Book B, 140-144. Copies in Georgia Department of Archives and History.

18. *Ibid.*

post among the Indians on the 6th inst. The Indians have indeed lost a 'father,' and the United States one of their most faithful and respectful agents. It appears he died as he lived—with complacency and firmness.

Reputable historians of recent years have found his career praiseworthy. Marquis James speaks of Hawkins as agent as "an anomaly among such officials, being both honest and able."<sup>19</sup>

It would be easy to enter into the spirit of the partisans of Hawkins and close this volume with a eulogy, but the record of his family Bible seems essentially just.

Colonel Benjamin Hawkins Agent for the Creek Indians departed this life on the 6th of June at 8 o'clock in the evening in 1816, in the 62nd year of his age he has served as a Publick Character in various departments and always discharged the Trust faithfully for 36 years—a worthy honest man.<sup>20</sup>

19. James, *Andrew Jackson, Border Captain*, 166.

20. Recorded in the Family Bible of the Hawkins family. Copies of the entries from which this quotation was taken are in the archives of the North Carolina Historical Collection. This tribute was written by his brother Philemon.

in 1797 and 1798, with frequent discussions of individuals and their agricultural and domestic surroundings, and an eighteen page description of the government, laws, and customs of the Creeks. It is of great value for a study of the Southern Indians of the period.

Hawkins occasionally wrote articles for publication in the newspapers. One such, under the caption "Parch-corn Flour," written on August 23, 1814, ended with the following request:

The period is at hand for using [parch-corn] flour . . . and it being probable my fellow citizens will have occasion for much of it in all parts of the United States, I hope the printers in every state will give it [the article] a place in their papers.<sup>11</sup>

Another article, "*Strawberry Culture*," was sent to the *Georgia Journal* on August 17, 1812. "I send the enclosed for your paper, hoping by its promulgation your neighbors will be induced to make an effort to supply themselves with strawberries."<sup>12</sup>

In addition to studying books from the shelves of his well stocked library, Hawkins also kept abreast of the times as well as one could in the Indian country by reading several newspapers constantly. In 1811 he desired more news from the Southwest and requested Governor W. C. C. Claiborne to subscribe to the best New Orleans paper for him. Claiborne replied that he had taken out a subscription to the *Louisiana Courier* in his name and had paid the editor five dollars in advance. Books mentioned in letters are Ramsey's *History of South Carolina*, which he borrowed from Jefferson,<sup>13</sup> and Adair's *History of the American Indians*, and Bartram's *Travels*, which were requested, along with an order of sup-

11. *Georgia Journal*, August 31, 1814.

12. August 26, 1812.

13. McPherson, "Letters from North Carolinians to Jefferson," in *North Carolina Historical Review*, XII, 259. Hawkins to Jefferson, March 26, 1792.

plies, from Edward Price, the factor.<sup>14</sup> At the time he made the request of Price for these special titles, he also asked him to send him all of the other books on Indians he could locate.

Although Hawkins asserted in 1814 that he had saved less than three thousand dollars out of his salary, his inheritance and holdings acquired before 1796 must have been considerable and his farming operations lucrative. Hating credit and debt as he did, he naturally attended his personal affairs carefully. Wheeler estimated Hawkins's personal fortune at his death to be \$160,000, and this was probably only slightly exaggerated.<sup>15</sup> Unlike many Southern planters, even at a later period, all of his holdings were not in land and farm equipment. In the *Daily Georgian* on January 21, 1819, one hundred shares of the Planter's Bank of the State of Georgia, upon each of which \$80 had been paid, was offered for sale as a part of his estate. In a suit respecting his will in the Crawford County court in 1830 the estate, "consisting of lands negroes money" was estimated at more than \$100,000, despite the fact that much loss had been sustained in the destruction of his home by fire shortly after his death. Jeffersonia Bacon, the defendant, Hawkins's only child born after the will had been drawn, was placed under \$10,000 bond for having received a child's share.<sup>16</sup>

Seventy-two Negro slaves comprised a considerable portion of Hawkins's personal estate. Of these slaves four were superannuates and were inventoried as of no value. The others were estimated as being worth \$28,800 and were divided on this basis among his wife, his nephew, Governor William Hawkins of North Carolina, and the six children living at the time his will was drawn. Each of these heirs received not less than seven nor more than eleven slaves. In an attempt to liquidate the estate a few months after Hawkins's death, a sale of his remaining personal property, which was inventoried at \$37,190, was held at the Agency. It is quite evi-

14. Indian Office files. Hawkins to Price, December 7, 1798.

15. Hawkins, *Sketches*, 430.

16. Hawkins Papers.