

Regulators: Justified Protestors or Lawless Rioters?

After their complaints regarding government corruption were repeatedly ignored, and their attempts at reasonable and peaceful negotiations with government officials failed, the Regulators escalated their actions.

One person targeted as part of this escalation was Hillsborough official Edmund Fanning, who the Regulators believed was the epitome of political corruption. Fanning received a law degree in 1759 and then moved to Hillsborough, NC to begin a political career. His friendship with Governor Tryon helped him become a prestigious and profitable lawyer. He was appointed Crown Attorney in 1761 and in 1763 he became the clerk of the Superior Court of Orange County. He was eventually appointed as the Associate Justice of North Carolina. Fanning became a target of Regulator frustrations, since he was known to abuse his tax collection duties and was thought to be embezzling collected monies. By 1768, Regulators were demanding documentation for Fanning's collections; they wanted information concerning the construction of Tryon's Palace in New Bern, one of the many Crown actions they believed to be unnecessary for their welfare. They accused Edmund Fanning of corruption and extortion, and even though he was a friend of the Governor, Tryon allowed Fanning to be tried on September 1, 1768.

Regulators served on the jury and gathered outside the courthouse to demand the return of funds allegedly taken illegally for Crown purposes. However, the judge ruled that there was not enough evidence against Fanning to convict him. Though the militia was present and the Regulators frustrated, no violence occurred. The militia lacked a legal excuse to attack, for events were directed exclusively at Fanning's actions and fell within the bounds of traditional protest. However, Tryon assembled a council in New Bern to plan ways to gather support for Crown policies in the backcountry in an attempt to diminish the Regulator movement. Protesting colonists and Regulator members were required to pledge their loyalty to the Crown and respect for law and order.

September, 1770

Regulator opposition to Tryon and Fanning continued, however, culminating in the Hillsborough "Riot" of 1770. After the 1768 events, the General Assembly continued to ignore Regulators' problems and the courts continued to anger them. Protests seemed not to matter. The Regulators, therefore, refused to pay taxes. Violence soon erupted.

On September 22, 1770, Regulators assembled in Hillsborough to disrupt the court and bring attention to their political demands. All was peaceful until September 25, when Regulators, armed with clubs and whips, packed the courthouse and asked to be jury members. They debated for approximately thirty minutes, before the court continued without regarding their requests. Outside the courtroom, frustrated Regulators attacked a lawyer named Williams (first name unknown) and then reentered the courthouse, seized

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Edmund Fanning, and dragged him from the courthouse by his heels, banging his head on each step. Both men eventually escaped, but were soon found. Under duress, both made agreements with Regulators to stand trial. Under duress, too, the judge at the time promised to try the men the following day. That night, however, he fled town. The judge's escape prompted frustrated Regulators to again target Fanning. They ran him out of town, plundered his home, marched with his effigy through Hillsborough, destroyed a church bell donated by him, and ended their violence by breaking merchants' house windows.

These actions did not amuse government officials. They were especially upset over the closing of the court and called the Regulator actions of September 1770 a "riot." Yet, the actions of the Regulators reveal how riots of the 1700s defy modern-day definitions of riot. According to historian Wayne E. Lee, "They [Regulators' actions] were legitimate in a way that uncontrolled havoc is not." The Regulators acted out of a need to have specific demands met. Fanning could have been killed, but he was not. Regulators could have destroyed the courthouse, but they did not. They did not practice indiscriminate violence; rather, they called for a restoration of fairness and justice.

Ultimately, the Regulator Movement was a struggle between mostly lower-class citizens, who made up the majority of the backcountry population of North and South Carolina, and the wealthy planter elite, who comprised about 5% of the population, yet maintained almost total control of the government. Thus, in eastern North Carolina, a modern definition of riot emerged, largely because wealthy and powerful individuals (such as government officials and absentee landowners), feared the social-leveling effect of the riot. Sensational news stories overemphasized the violence. Reports ignored the Regulators' call for order and not a revolution. News stories demonized the Regulators, painting them as traitors and outlaws. Such reports fostered a willingness among many North Carolinians to support the government in suppressing the Regulator Rebellion, with force if necessary, and even to volunteer for the militia that would eventually be used against them.

In response, the General Assembly passed a so-called Riot Act. This measure gave Governor Tryon the authority, and the funds, to march from the seat of government in New Bern to the Piedmont and subdue the Regulators with military force. Along the way, Tryon gathered militia forces, made up of ordinary men, most of them farmers, required to serve when called upon by the governor. Many leading Sons of Liberty even volunteered as officers in the governor's army. It is ironic that these men felt it was their right to protest British injustice, but they denied Piedmont farmers the right to do the same at home. At the Battle of Alamance (1771), the militia finally quelled the Regulator protest.

Sources: http://uncpress.unc.edu/nc_encyclopedia/regulator.html

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After-Reading Questions

- 1. Why was Edmund Fanning targeted by the Regulators?**

- 2. How do you think the Regulators felt when Fanning was not punished or convicted?
Why do you believe that?**

- 3. What choices did the Regulators have when Fanning was not punished? Why do you think the Regulators finally responded violently?**

- 4. Would you characterize the events of 1770 as justified protests or lawless riots?
Explain your choice with textual support.**

Regulators Primary Source Reading and Discussion Questions

We the under written subscribers do voluntarily agree to form ourselves into an Association to assemble ourselves for conferences for regulating publick Grievances & abuses of Power in the following particulars with others of like nature that may occur

1. That we will pay no Taxes until we are satisfied they are agreeable to Law and Applied to the purposes therein mentioned unless we cannot help and are forced.
2. That we will pay no Officer any more fees than the Law allows unless we are obliged to it and then to shew a dislike to it & bear open testimony against it.
3. That we will attend our Meetings of Conference as often as we conveniently can or is necessary in order to consult our representatives on the amendment of such Laws as may be found grievous or unnecessary and to choose more suitable men than we have heretofore done for Burgesses and Vestry men and to Petition His Excellency our Governor the Honble the Council and the Worshipful House of representatives His Majesty in Parliament &c. for redress of such Grievances as in the course of this undertaking may occur and to inform one another & to learn, know and enjoy all the Priviledges & Liberties that are allowed us and were settled on us by our worthy Ancestors the founders of the present Constitution in order to preserve it in its ancient Foundation that it may stand firm & unshaken.
4. That we will contribute to Collections for defraying necessary expences attending the work according to our abilities.
5. That in Cases of differences in Judgment we will submit to the Majority of our Body.

To all which We do solemnly swear or being a Quaker or otherwise scrupulous in Conscience of the common Oath do solemnly affirm that We will stand true and faithful to this cause until We bring them to a true regulation according to the true intent & meaning of it in the judgment of the Majority.

Regulators Advertisement No. 4, January 1768, from the *Colonial and State Records of North Carolina*, Volume 7, pp. 671–672. Source: <http://www.learnnc.org/lp/editions/nchist-revolution/4246> (Source Link not working)

1. What is your first impression of this document?
2. What particular words, lines or phrases first struck you when reading and why?
3. In the first two items, how do the men say they will respond to unlawful taxes?
4. What do you think they mean when they say they will “shew a dislike to it & bear open testimony against it” regarding taxation?
5. What sorts of interactions do you imagine took place when tax collectors knocked at the colonists’ doors?
6. In the 4th point, what sort of “necessary expenses” do you suppose the Regulators might have had in carrying out their pledge?
7. What is the overall purpose of this document?
8. How do you think local officials reacted when they found out about this newly formed organization?
9. Evaluate the decision of the frustrated colonists to organize into an official group. Is this an effective way to handle problems? Why or why not? • Based on this primary source, how serious do you think they were about standing up for their rights? What evidence makes you think this?
10. This group called themselves “The Regulators.” Why do you think they chose this name? What questions do you have about this document or the organizers of this group?