

FROM SLAVE TO GOVERNOR

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THE history of North Carolina abounds in interesting episodes, but perhaps there is none more curious than that in the eighth and ninth decades of the seventeenth century when a man who had been a slave became Governor of the colony.¹

In 1663 "The Merry Monarch", Charles II, granted the territory, now North and South Carolina, to a number of favourites, amongst them, the Earl of Clarendon, Lord Chancellor, and the Duke of Albermarle. The Proprietary Governors were not, as a rule, of very high standing; but we are concerned with only one, Seth Sothel (the name is also spelled Sothell, Southel, Southal, Southell, Southill and Southall).

Governor Sothel's lineage, birth-place and natal year seem to be equally unknown. About 1680-1, he bought out Clarendon's share, and so became Senior Proprietor. In September, 1681, he set sail for the colony as Governor of the settlement of Albermarle, which developed into the colony of North Carolina. The Algerine pirates² were still infesting the western sea, including the waters around Britain, and Sothel had the bad fortune to be taken by them. I find under date, June 9th, 1679, an entry:

Whereas Seth Southall, one of his Majesty's Subjects, designed by the Proprietors of his Majesty's Colony of Carolina to goe their Governor there, was taken by the Pirates of Argier where he yet remains in Slavery. It was this day ordered by his Majestie in Councill That the said Seth Southall should be endeavoured to be exchanged for one Hadgamore late Commander of the

1. This territory, part of the Spanish Florida, was by the English, after the settlement of Virginia, called South Virginia; but as early as 1619, when Charles I granted it to Sir Robert Heath, it had come to be called Carolana. For example, in *The Acts of the Privy Council (Colonial Series)* vol. I, p. 205, is found a complaint of Edward Kingswell, Esq., "against Samuel Vassall of London, Marchant, and Peter Andrewes, his brother-in-law, Master of a Shipp, for faileing . . . contrary to Agreements . . . for the makeing of a Plantation in Carolana". August 6th, 1634. There had been sporadic attempts at settlement previously, but the real settlement of North Carolina began with the grant to Clarendon and his associates in 1663 of the region south of Virginia extending from 31° to 36°, N. L., and westward across the continent, under the name of Carolina.

See Winsor's *Narrative and Critical History of America*, Vol. V, p. 286 and Note 1: *The America* Vol. XIV, sub. voc. "North Carolina". The last reference to Carolana, I find in *The Acts of the Privy Council*, is August 5th, 1638, where there was an exception in a provision for Virginia of "the Province of Carolana, heretofore granted to Sir Robert Heath and lately, with the Kings approbation, assigned by the said Sir Robert Heath to the Lord Maltravers". *Do. do.*, Vol. I, p. 240. The name Carolina first appears in the same volume, p. 399, under date April 28th, 1665; the subsequent orthography seems to be uniformly Carolina.

2. So far did their assurance extend that they actually formed a settlement on an island west of England. They terrorised mariners of all nations for three hundred years, and did not always confine their operations to shipping; there are many instances of their attacking villages on the land, and even of their carrying off single individuals. It was not till the nineteenth century that this curse was fully got rid of.

Tiger of Argier or one Buffolo Ball. And It was further Ordered that Sir John Narborough, Admirall of his Majestys Fleet lately in the Streights, doe take care to see the said Exchange Effectted.³

The Admiral was not in a position to make an exchange; for we find him certifying on July 2nd to the Privy Council "That he was then arrived at Plymouth, and had left... Hadg omar and Buffolo Ball under the Charge of Vice Admirall Herbert in the Streights"; whereupon Herbert was ordered to procure an exchange for either or both of these prisoners or, in case they were already disposed of, "for the first Prisoner or Prisoners of note that shall be taken of the Algerines by any of his Majesty's Ships under his Comand."⁴

It is to be borne in mind that the English as much as any other nation, and more than most, were actively engaged in the suppression of piracy. They suffered probably more from this sea robbery than any other people. The Algerines were notoriously ruthless, and it became somewhat common for the sailors to desert the ship when it was pursued by pirates. It may be worth noticing that in 1670 it was thought necessary to pass legislation enacting: "That no Master of any... English Ship... being at Sea, and having discovered any Ship to be a *Turkish* Ship, Pirate or Sea-rover, shall depart out of his Ship upon any Pretence whatsoever, lest by his detention on Board any such Ship, the Safety of his own Ship be hazarded". Mariners and inferior officers were forbidden to refuse to fight in defence of their ship or goods, and provision was made for penalties proportionate to the offence; (1670), 22, 23 *Charles II, cap. 11, ss. 3, 6, etc.*

It will be readily understood that Vice-Admiral Herbert's energies were being strained to their utmost in the exercise of his official duties in watching for and combatting the corsairs who infested the Mediterranean as well as the Atlantic, and even in greater numbers. The designation "Admiral of the Straits" referred to his duty of guarding the Straits of Gibraltar, but he was called on to meet and destroy the pirates wherever he found them, especially in the Mediterranean. It does not astonish us to find that Herbert could not attend successfully to the task set him by

3. *Do. do.*, Vol. I, p. 838, "Hadgamore" was, of course, "Hadji Omar": we cannot say that "Buffolo Ball" or "Buffolo Ball" was an earlier Buffalo Bill. Sir John Narborough (or Narbrough, as the name is generally spelled) was in 1674 Commander of the Squadron sent against the corsairs of Tripoli, and in 1677, Commander of the Squadron sent against the Algerine corsairs. The Algerine prisoners, for whom Sir John was expected to arrange an exchange to release Sothel, were, no doubt, part of the fruits of the latter of these expeditions, which were, at least, partially successful.

4. This Vice-Admiral Herbert was Arthur Herbert, afterwards Earl of Torrington, who served against the Algerine pirates, 1669-1671, and lost an eye in the capture of a corsair in the Mediterranean in 1678; he, as Admiral of the Straits, relieved Tangiers in 1680, and continued in command against the Algerines till 1683.

The quotation is from *Acts of the Privy Council (Colonial Series)*, Vol. II, p. 3.

the Council, and that on June 2nd, 1680, a petition from the captive was presented to the Council and acted upon:

Seth Southill, Captive in Algiers, Praying in regard of Vice-Admirall Herberts urgent Affaires, that the Release of the Petitioner directed by Order of the 2nd of July last . . . might be negotiated by Merchants.⁵

It was referred to the Commissioners of the Admiralty to effect the release in whatsoever way it should seem most convenient.

The Commissioners approved of the exchange being negotiated by merchants; but the Algerines became incensed at the delay, and increased the rigour of the slavery of their prisoner. The Commissioners, too, were cautious, and did not intend to risk losing the valuable Algerine captives without the certainty of receiving the Englishman. Accordingly, on September 15th, the Commissioners reported that they approved of the merchants dealing with the matter, but they

doe require of the Petitioner to give security for the safe returning of the said Prisoners in case he should happen to dye before he be exchanged, which the Petitioner by reason of his captivity is not in a Condition to procure. . . . And alsoe that the Petitioner being more severely treated by the Turks than ever who are enraged at the Long delay of the said Prisoners Exchange, therefore make him carry Morter, Brick and stone for the Masons with a heavy Chaine of Nine links, each linke two inches and a halfe thick upon his legg besides Bolt and Shackle.

The petitioner prayed that the two Algerine captains might be sent to the English agent at Leghorn, Thomas Deedham, to keep until the exchange could be effected: and to leave the negotiations in the hands of Messrs. Charles Longland, Charles Harris and John Brookin, English merchants at Leghorn. This the Privy Council ordered to be done.⁶

When it came to negotiation, the Algerines were not satisfied to accept their two captains as an equivalent, but required their prisoner to give an undertaking to pay 6,000 pieces of eight: for this sum, some English subjects at Algiers became surety, one of them, named Wimbourne, taking a bond from the captive for 3,000 pieces of eight, the part of the ransom for which he was bound, and Robert Cole another for the same sum for the like reason. It would seem that this extra extortion was without the knowledge of the English authorities, and not included in the agreement made with the Dey of Algiers.

5. *Acts of the Privy Council (Colonial Series)*, Vol. II, p. 3.—The name is spelled "Southell" in the marginal note, but "Southill" in the text.

6. *Do. do.*, Vol. II, pp. 3, 4.

Sothel came home, and was sued for the 3,000 pieces of eight which Wimbourne was compelled to pay, and which the ransomed man omitted to repay. Judgment going against him in the Common Bench and he not paying, he was lodged in the Debtors' Prison, the Counter in London. He applied again, July 28th, 1681, to the Council, who referred it to the Law Officers of the Crown to see what could be done for him.⁷

The Attorney-General reported, September 6th, 1681, "that the only way for the Petitioners relief will be by Bill in Equity to be brought in the name of his Majesties Attorney Generall and the said Mr. Sothell, and that in the meantime, the actions brought may bee removed into the King's Bench: also that the debtor should be provided with bail."⁸

Bail being provided, pending proceedings in the King's Bench, Sothel paid up the judgment for 3,000 pieces of eight, but did not pay the other 3,000 pieces of eight for which he was bound to Robert Cole, who had agreed and become bound to pay that sum to the Algerines as part of the ransom.

Instead of providing for this 3,000 pieces of eight like an honest man, he left Cole in the lurch, bound to the captors for this sum. The Council were informed by the Commission that

The Dey and Government of Algier having writt very earnestly to his Majestie that the said summe may Speedily be satisfied... it is to be apprehended that unlesse some effectuall care be taken therein (Cole not being worth the money) they may seize upon his Majesties Consull upon his Arrivall there, and that possibly worse Consequencyes may attend it.

The Council ordered

that the Attorney General doe forthwith prepare a Bill for his Majestys Signature commanding the said Seth Southell to Repaire into England within three months after notice thereof, and to render himselfe to one of his Majesties Principall Secretaryes of State as he tenders his Allegiance and will Answer the Contrary at his utmost perill, unless he hath before notice thereof be given him, satisfied and payd the said three Thousand peeces of eight".⁹

It is probable that the offender settled the amount, as it is certain that he did not return to England as ordered, but remained in the colony as Governor of the settlement of Albermarle. Out of the twenty Governors sent out by the Proprietors, nearly all

7. *Do. do.*, Vol. II, p. 4.

8. *Do. do.* Vol. II, p. 4.

9. *Do. do.*, Vol. II, pp. 4, 5. For the subsequent career of Sothel, see Winsor, *op. cit* pp. 296, 313: *Americana, sub vocc.* North Carolina, South Carolina: D. N. B., Vol. 53, p. 268, and any history of either Carolina.

were worthless—we are told that the colonists deposed six of them, and sent them back to England. Sothel seems to have been even more unfortunate than the rest of this lot of Governors; when he was taken prisoner, one Harvey acted as *locum tenens*; Harvey dying, Jenkins was made Governor, but the people deposed him, and one Wilkinson was appointed; when Sothel arrived in 1683, the popular party was in control, and they did not take to him in the least. Things went on from bad to worse, and at length in 1688 the colonists seized him, intending to ship him home for trial; this was not done, but the matter was referred to the Colonial Assembly who condemned him, awarding as a punishment banishment for twelve months and deposition from authority for ever.

That was not the last of him. What is now South Carolina was having trouble with its Governor, Landgrave Colleton, whom they accused of an “illegal, tyrannical and oppressive way of government.” Sothel who, it must be remembered, had bought out Clarendon’s share in this territory as well as in that now North Carolina, arrived at this juncture and took the position of Governor; he is said to have “acted pretty much as he pleased, till he was turned out of his new position by his colleagues in London”, when, in 1691, he was succeeded by Ludwell. It should, perhaps, be noted that the Proprietors in England do not seem ever to have approved of his acting as Governor.

The North Carolinians took the high constitutional ground that the King’s Charter directed the Proprietors to “govern according to their best discretion by and with the advice assent and approbation of the Freemen of said territory, or their deputies or delegates”.

Sothel appears to have returned to England, and to have died in 1697.

Surely it is without parallel that one who had been a slave, carrying mortar, brick and stone in chains for his masters, should become Governor in two colonies in succession. My own reading in history does not enable me to point out any similar case.

GENERAL NOTE

As indicating the real peril from Algerine corsairs, and the means provided for the ransom of their captured, I may extract two entries from the Records of the Privy Council.

In *Acts, &c.*, Vol. I, pp. 541, 2, under date January 26th, 1670, it is entered:—

Robert Bendish, John Clements, Andrew Orgill, Edward Flemming and others, Owners of the Shipp *King David*, and

her lading. Setting forth, That the said Shipp being Fower Hundred Tons was freighted by the Petitioners with seuerall Manufactures of this Kingdome, and other Commodities to Rochell, from thence to New-Found-Land, where shee Laded seuerall sorts of Prouisions, as Masts, Plancks, and Victuall, and sayled from thence with her said Prouisions toward her Designed Port of Tangier; That being vpon ger said Voyage to Tangier shee was Mett with off Cape St. Vincent by the Argier Pirate, and there after Three days resistance Boarded by Seventy Moores which they killed and Drowned, after mett with Five Pirats more, when they were forced to Surrender, but some days after were retaken by Captaine Kempthorne; but he meeting with Six Piratts more was forced to leaue the Petitioners Shipp, after which shee was retaken by the Turkes, and then retaken againe by Sir Thomas Allen, who sent her into Malaga, and hath given order to Sell the said shipp with her Lading; and Praying in regard the said Shipp hath so well defended her selfe The Master Edward Clements being made a Slave, And that the Mariners are still on Board her, both Ship and Lading may be Restored to the Petitioners or their Order, by Sir Thomas Allen and his Agents. . . . the Duke of Yorke. . . . is desired and Authorised to favour the Petitioners what he may in order to the Restitution of their said Shipp and Lading, and to giue such Directions therein as to his Royall Highness shall seeme fitt and just.

It was not in the power of the Council, the Duke of York (Commander of the Fleet), or of the King himself to take away from Sir Thomas Allen his lawful property: but what the Council could do they did. We read, *op. cit.*, pp. 546, 7, under date July 15th, 1670:—

The Owners of the Ship *King David* petitioning that in consideration of the valiant defence of the said Ship, order might be given That the Moors being about Fifty in number on board the said Ship upon the retaking thereof by Sir Thomas Allen might be sold, and the proceed of them employed towards the Redemption of Mr. Edward Clements Master, and Jeremiah Armiger Supracargo and twenty ffour Mariners made Slaves by the said Pirates, which wilbe an encouragement to Seamen in generall and a great Releife to the Poor men who not being able to redeeme themselues, must otherwise remaine in Slavery Vpon consideration whereof, his Majesty was pleased to Declare, That the Proceed of all Turkes and Moors, which are or shalbe taken by any of his Majestys Ships of Warr, and haue or shalbe sold, be employed towards the Redemption of such of his Subjects as are Slaues at Argiers, &c, And. . . . the Duke of Yorke desired to signify this his Majestys Pleasure to the Commanders in cheife of his Majestys ffleetes in the Streights or elsewhere, and to giue Directions, that the Persons abouenamed be the first redeemed out of such Monies, And for the future such as haue made the best and fallantest Defence before they fell into the Enemies Hands haue preference in redemption out of the said Monies before any others.